

SENATE FINANCE COMMITTEE SUBSTITUTE FOR  
SENATE BILL 27

**51ST LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2013**

AN ACT

RELATING TO PENSIONS; AMENDING THE PUBLIC EMPLOYEES RETIREMENT  
ACT; REDUCING THE COST-OF-LIVING ADJUSTMENTS FOR ALL RETIREES;  
DELAYING THE COST-OF-LIVING ADJUSTMENT FOR CERTAIN FUTURE  
RETIREES; SUSPENDING THE COST-OF-LIVING ADJUSTMENTS FOR CERTAIN  
RETURN-TO-WORK RETIREES; PROVIDING FOR AN INCREASE IN EMPLOYEE  
AND CERTAIN EMPLOYER CONTRIBUTIONS; CLARIFYING DEFINITIONS;  
PROVIDING THAT MUNICIPAL EMPLOYERS WILL NOT PAY ANY PORTION OF  
THE ONE AND ONE-HALF PERCENT INCREASE IN EMPLOYEE CONTRIBUTIONS  
EFFECTIVE JULY 1, 2013 WITHOUT PASSING A RESOLUTION OR  
EXECUTING A COLLECTIVE BARGAINING AGREEMENT; PROVIDING THAT  
MUNICIPALITIES MAY BY SUBSEQUENT RESOLUTION OR AGREEMENT ELECT  
TO PAY A PORTION OF EMPLOYEE CONTRIBUTION INCREASES THAT MAY  
OCCUR AFTER JULY 1, 2013; CLARIFYING HOW SERVICE CREDIT EARNED  
UNDER MULTIPLE COVERAGE PLANS WILL BE CALCULATED; CHANGING THE  
BENEFITS FOR MEMBERS INITIALLY EMPLOYED AFTER JUNE 30, 2013 BY

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1 REDUCING THE MULTIPLIER AND INCREASING THE NUMBER OF YEARS USED  
2 TO CALCULATE THE FINAL AVERAGE SALARY, INCREASING THE VESTING  
3 PERIOD, INCREASING AGE AND SERVICE REQUIREMENTS FOR NORMAL  
4 RETIREMENT AND INCREASING THE MAXIMUM PENSION BENEFIT; LIMITING  
5 PLAN ENHANCEMENTS; RECONCILING MULTIPLE AMENDMENTS TO THE SAME  
6 SECTION OF LAW IN LAWS 2003; AMENDING, REPEALING AND ENACTING  
7 SECTIONS OF THE NMSA 1978.

8  
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

10 SECTION 1. Section 10-11-2 NMSA 1978 (being Laws 1987,  
11 Chapter 253, Section 2, as amended) is amended to read:

12 "10-11-2. DEFINITIONS.--As used in the Public Employees  
13 Retirement Act:

14 A. "accumulated member contributions" means the  
15 amounts deducted from the salary of a member and credited to  
16 the member's individual account, together with interest, if  
17 any, credited to that account;

18 B. "affiliated public employer" means the state and  
19 any public employer affiliated with the association as provided  
20 in the Public Employees Retirement Act, but does not include an  
21 employer pursuant to the Magistrate Retirement Act, the  
22 Judicial Retirement Act or the Educational Retirement Act;

23 C. "association" means the public employees  
24 retirement association established under the Public Employees  
25 Retirement Act;

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1           D. "disability retired member" means a retired  
2 member who is receiving a pension pursuant to the disability  
3 retirement provisions of the Public Employees Retirement Act;

4           E. "disability retirement pension" means the  
5 pension paid pursuant to the disability retirement provisions  
6 of the Public Employees Retirement Act;

7           F. "educational retirement system" means that  
8 retirement system provided for in the Educational Retirement  
9 Act;

10          G. "employee" means any employee of an affiliated  
11 public employer;

12          H. "federal social security program" means that  
13 program or those programs created and administered pursuant to  
14 the act of congress approved August 14, 1935, Chapter 531, 49  
15 Stat. 620, as that act may be amended;

16          I. "final average salary" means the final average  
17 salary calculated in accordance with the provisions of the  
18 applicable coverage plan;

19          J. "form of payment" means the applicable form of  
20 payment of a pension provided for in Section 10-11-117 NMSA  
21 1978;

22          K. "former member" means a person who was  
23 previously employed by an affiliated public employer, who has  
24 terminated that employment and who has received a refund of  
25 member contributions;

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1 L. "fund" means the funds included under the Public  
2 Employees Retirement Act;

3 M. "member" means a currently employed,  
4 contributing employee of an affiliated public employer, or a  
5 person who has been but is not currently employed by an  
6 affiliated public employer, who has not retired and who has not  
7 received a refund of member contributions; "member" also  
8 includes the following:

9 (1) "adult correctional officer member" means  
10 a member who is employed as an adult correctional officer or an  
11 adult correctional officer specialist [~~employed~~] by a state  
12 correctional facility of the corrections department or its  
13 successor agency;

14 [~~(2) "hazardous duty member" means a member~~  
15 ~~who is a juvenile correctional officer employed by the~~  
16 ~~children, youth and families department or its successor~~  
17 ~~agency;]~~

18 (2) "juvenile correctional officer member"  
19 means a member who is employed as a juvenile correctional  
20 officer by the children, youth and families department or its  
21 successor agency;

22 (3) "municipal detention officer member" means  
23 a member who is employed by an affiliated public employer other  
24 than the state and who has inmate custodial responsibilities at  
25 a facility used for the confinement of persons charged with or

1 convicted of a violation of a law or ordinance;

2 (4) "municipal fire member" means any member  
3 who is employed as a full-time nonvolunteer firefighter by an  
4 affiliated public employer and who has taken the oath  
5 prescribed for firefighters;

6 (5) "municipal police member" means any member  
7 who is employed as a police officer by an affiliated public  
8 employer, other than the state, and who has taken the oath  
9 prescribed for police officers; and

10 (6) "state police member" means any member who  
11 is an officer of the New Mexico state police and who has taken  
12 the oath prescribed for such officers;

13 N. "membership" means membership in the  
14 association;

15 O. "pension" means a series of monthly payments to  
16 a retired member or survivor beneficiary as provided in the  
17 Public Employees Retirement Act;

18 P. "public employer" means the state, any  
19 municipality, city, county, metropolitan arroyo flood control  
20 authority, economic development district, regional housing  
21 authority, soil and water conservation district, entity created  
22 pursuant to a joint powers agreement, council of government,  
23 conservancy district, irrigation district, water and sanitation  
24 district, water district and metropolitan water board,  
25 including the boards, departments, bureaus and agencies of a

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1 public employer, so long as these entities fall within the  
2 meaning of governmental plan as that term is used in Section  
3 414(d) of the Internal Revenue Code of 1986, as amended;

4 Q. "refund beneficiary" means a person designated  
5 by the member, in writing, in the form prescribed by the  
6 association, as the person who would be refunded the member's  
7 accumulated member contributions payable if the member dies and  
8 no survivor pension is payable or who would receive the  
9 difference between pension paid and accumulated member  
10 contributions if the retired member dies before receiving in  
11 pension payments the amount of the accumulated member  
12 contributions;

13 R. "retire" means to:

14 (1) terminate employment with all employers  
15 covered by any state system or the educational retirement  
16 system; and

17 (2) receive a pension from a state system or  
18 the educational retirement system;

19 S. "retired member" means a person who has met all  
20 requirements for retirement and who is receiving a pension from  
21 the fund;

22 T. "retirement board" means the retirement board  
23 provided for in the Public Employees Retirement Act;

24 U. "salary" means the base salary or wages paid a  
25 member, including longevity pay, for personal services rendered

1 an affiliated public employer. "Salary" shall not include  
2 overtime pay, allowances for housing, clothing, equipment or  
3 travel, payments for unused sick leave, unless the unused sick  
4 leave payment is made through continuation of the member on the  
5 regular payroll for the period represented by that payment, and  
6 any other form of remuneration not specifically designated by  
7 law as included in salary for Public Employees Retirement Act  
8 purposes. Salary in excess of the limitations set forth in  
9 Section 401(a) (17) of the Internal Revenue Code of 1986, as  
10 amended, shall be disregarded. The limitation on compensation  
11 for eligible employees shall not be less than the amount that  
12 was allowed to be taken into account under the state retirement  
13 system acts in effect on July 1, 1993. For purposes of this  
14 subsection, "eligible employee" means an individual who was a  
15 member of a state system before the first plan year beginning  
16 after December 31, 1995;

17 V. "state system" means the retirement programs  
18 provided for in the Public Employees Retirement Act, the  
19 Magistrate Retirement Act and the Judicial Retirement Act;

20 W. "state retirement system acts" means  
21 collectively the Public Employees Retirement Act, the  
22 Magistrate Retirement Act, the Judicial Retirement Act and the  
23 Volunteer Firefighters Retirement Act; and

24 X. "survivor beneficiary" means a person who  
25 receives a pension or who has been designated to be paid a

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1 pension as a result of the death of a member or retired  
2 member."

3 SECTION 2. Section 10-11-4 NMSA 1978 (being Laws 1987,  
4 Chapter 253, Section 4, as amended) is amended to read:

5 "10-11-4. SERVICE CREDIT--REQUIREMENTS FOR--FORFEITURE--  
6 REINSTATEMENT.--

7 A. Personal service rendered an affiliated public  
8 employer by a member shall be credited to the member's service  
9 credit account in accordance with retirement board rules and  
10 regulations. Service shall be credited to the nearest month.  
11 In no case shall any member be credited with a year of service  
12 for less than twelve months of service in any calendar year or  
13 more than a month of service for all service in any calendar  
14 month or more than a year of service for all service in any  
15 calendar year. In no case shall any member be allowed to  
16 purchase service credit unless the purchase is authorized in  
17 the Public Employees Retirement Act.

18 B. Personal service rendered an affiliated public  
19 employer prior to August 1, 1947 shall be credited to a member  
20 if the member acquires one year of service credit for personal  
21 service rendered an affiliated public employer.

22 C. Personal service rendered an affiliated public  
23 employer after July 31, 1947 but prior to the date the public  
24 employer became an affiliated public employer is prior service  
25 and shall be credited to a member if:

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1 (1) the member [~~acquires five~~] has the  
2 applicable minimum number of years of service credit [~~for~~  
3 ~~personal service rendered an affiliated public employer~~]  
4 required for normal retirement. As used in this paragraph,  
5 "service credit" means only the service credit earned by the  
6 member during periods of employment with an affiliated public  
7 employer; and

8 (2) the member pays the association the amount  
9 determined in accordance with Subsection D of this section.

10 D. The purchase cost for each month of service  
11 credit purchased under the provisions of this section is equal  
12 to the member's final average salary multiplied by the sum of  
13 the member contribution rate and employer contribution rate  
14 determined in accordance with the coverage plan applicable to  
15 the member at the time of the written election to purchase.  
16 Full payment shall be made in a single lump-sum amount in  
17 accordance with the procedures established by the retirement  
18 board. The portion of the purchase cost derived from the  
19 employer contribution rate shall be credited to the [~~employer~~]  
20 employers accumulation fund and shall not be refunded to the  
21 member in the event of cessation of membership. In no case  
22 shall any member be credited with a month of service for less  
23 than the purchase cost as defined in this section.

24 E. Service credit shall be forfeited if a member  
25 terminates employment with an affiliated public employer and

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1 withdraws the member's accumulated member contributions.

2 F. A member or former member who is a member of  
3 another state system or the educational retirement system and  
4 who has forfeited service credit by withdrawal of member  
5 contributions may reinstate the forfeited service credit by  
6 repaying the amount withdrawn plus compound interest from the  
7 date of withdrawal to the date of repayment at the rate set by  
8 the retirement board. Withdrawn member contributions may be  
9 repaid in increments of one year in accordance with the  
10 procedures established by the retirement board. Full payment  
11 of each one-year increment shall be made in a single lump-sum  
12 amount in accordance with procedures established by the  
13 retirement board."

14 SECTION 3. Section 10-11-5 NMSA 1978 (being Laws 1987,  
15 Chapter 253, Section 5, as amended) is amended to read:

16 "10-11-5. CREDITED SERVICE--MUNICIPAL ELECTION TO MAKE  
17 EMPLOYEE CONTRIBUTIONS.--A municipal affiliated public employer  
18 may elect by resolution of its governing body or by execution  
19 of a collective bargaining agreement and in the manner  
20 prescribed by the retirement board to be responsible for making  
21 contributions of up to seventy-five percent of its employees'  
22 member contributions as follows:

23 A. the resolution or collective bargaining  
24 agreement shall be irrevocable; [~~however~~] except that:

25 (1) if the resolution is passed or the

1 collective bargaining agreement is executed on or before June  
2 30, 2013, the percentage of the employee contributions that the  
3 municipal affiliated public employer elects to be responsible  
4 for making shall apply to the statutory employee contribution  
5 rate in effect on June 30, 2013 and shall not apply to any  
6 increase in the statutory employee contribution rate that may  
7 occur after that date; and

8 (2) if the resolution is passed or the  
9 collective bargaining agreement is executed on or after July 1,  
10 2013, the percentage of the employee contributions that the  
11 municipal affiliated public employer elects to be responsible  
12 for making shall apply to the statutory employee contribution  
13 rate in effect on the date that the resolution is passed or the  
14 collective bargaining agreement is executed and shall not apply  
15 to any increases in the statutory employee contribution rate  
16 that may occur after that date; provided, however, that, if the  
17 statutory employee contribution rate is decreased after the  
18 date that the resolution is passed or the collective bargaining  
19 agreement is executed, the percentage of the employee  
20 contributions that the municipal public affiliated employer is  
21 responsible for making shall apply to the decreased statutory  
22 employee contribution rate;

23 B. a municipal affiliated public employer may by  
24 subsequent resolution or collective bargaining agreement:

25 (1) elect to increase the percentage of

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1 employee member contributions for which it will be responsible;

2 (2) elect to be responsible for a percentage  
3 of any increase to the statutory employee contribution rate in  
4 effect after the passing of an earlier resolution or the  
5 execution of an earlier collective bargaining agreement; or

6 [~~2~~] (3) at the time a new coverage plan is  
7 adopted, elect to be responsible under the new coverage plan  
8 for making a different percentage of employee member  
9 contributions than that which it elected under a previous  
10 coverage plan;

11 [~~B~~] C. the resolution or executed collective  
12 bargaining agreement shall apply to all employees or else to  
13 specified employee divisions of the municipal affiliated public  
14 employer and shall be effective the first pay period of the  
15 month following the filing of the resolution with the  
16 retirement board;

17 [~~G~~] D. the portion of the employee contributions  
18 made by the municipal affiliated public employer on behalf of a  
19 member shall be credited to the member's individual accumulated  
20 member contribution account in the member contribution fund.

21 The member shall be responsible for the difference between the  
22 contributions the member would be required to make if the  
23 municipal affiliated public employer had not made the election  
24 provided for in this section and the amount contributed by the  
25 municipal affiliated public employer [~~under~~] pursuant to the

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1 provisions of this section;

2           ~~[D-]~~ E. pensions payable to members whose municipal  
3 affiliated public employer makes the election provided for in  
4 this section shall be the same as if the member had made the  
5 entire member contribution; and

6           ~~[E-]~~ F. any municipal affiliated public employer  
7 increasing the percentage of the employee member contributions  
8 it elects to make pursuant to this section shall submit a  
9 resolution or executed collective bargaining agreement to the  
10 association by July 1 of the fiscal year in which the increase  
11 will take place indicating the percentage of the employee  
12 member contributions that will be made by the municipal  
13 affiliated public employer."

14           **SECTION 4.** Section 10-11-7 NMSA 1978 (being Laws 1987,  
15 Chapter 253, Section 7, as amended) is amended to read:

16           "10-11-7. SERVICE CREDIT--PURCHASE OF SERVICE.--

17           A. A member who entered a uniformed service of the  
18 United States may purchase service credit for periods of active  
19 duty in the uniformed services subject to the following  
20 conditions:

21                   (1) the member pays the association the  
22 purchase cost determined according to Subsection E of this  
23 section;

24                   (2) the member has ~~[five or more]~~ the  
25 applicable minimum number of years of service credit ~~[acquired~~

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1 ~~as a result of personal service rendered in the employ of an~~  
2 ~~affiliated public employer]~~ required for normal retirement. As  
3 used in this paragraph, "service credit" means only the service  
4 credit earned by the member during periods of employment with  
5 an affiliated public employer;

6 (3) the aggregate amount of service credit  
7 purchased pursuant to this subsection does not exceed five  
8 years reduced by any period of service credit acquired for  
9 military service pursuant to any other provision of the Public  
10 Employees Retirement Act;

11 (4) service credit may not be purchased for  
12 periods of service in the uniformed services that are used to  
13 obtain or increase a benefit from another retirement program;  
14 and

15 (5) the member must not have received a  
16 discharge or separation from uniformed service under other than  
17 honorable conditions.

18 B. A member who was a civilian prisoner of war  
19 captured while in service to the United States as an employee  
20 of the federal government or as an employee of a contractor  
21 with the federal government may purchase service credit for the  
22 period of internment as a civilian prisoner of war, provided  
23 that:

24 (1) the member provides proof of employment  
25 with the federal government or as a contractor to the federal

1 government in a form acceptable to the association;

2 (2) the member provides proof of the period of  
3 internment in a form acceptable to the association;

4 (3) the member has [~~at least five~~] the  
5 applicable minimum number of years of service credit [~~acquired~~  
6 ~~as a result of personal service rendered in the employ of an~~  
7 ~~affiliated public employer~~] required for normal retirement. As  
8 used in this paragraph, "service credit" means only the service  
9 credit earned by the member during periods of employment with  
10 an affiliated public employer;

11 (4) the aggregate amount of service credit  
12 purchased pursuant to this subsection does not exceed five  
13 years reduced by any period of service credit acquired for  
14 military service pursuant to any other provision of the Public  
15 Employees Retirement Act;

16 (5) service credit may not be purchased for  
17 periods of service in internment as a civilian prisoner of war  
18 if such periods are used to obtain or increase a benefit from  
19 another retirement program; and

20 (6) the member pays the association the  
21 purchase cost determined according to Subsection E of this  
22 section.

23 C. A member who was employed by a utility company,  
24 library, museum, transit company or nonprofit organization  
25 administering federally funded public service programs, which

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1 utility company, library, museum, transit company or nonprofit  
2 organization administering federally funded public service  
3 programs or federally funded public service programs  
4 administered by a nonprofit organization are subsequently taken  
5 over by an affiliated public employer, or a member who was  
6 employed by an entity created pursuant to a joint powers  
7 agreement between two or more affiliated public employers for  
8 the purpose of administering or providing drug or alcohol  
9 addiction treatment services irrespective of whether the entity  
10 is subsequently taken over by an affiliated public employer,  
11 may purchase service credit for the period of employment  
12 subject to the following conditions:

13 (1) the member pays the association the  
14 purchase cost determined according to Subsection E of this  
15 section;

16 (2) the member has [~~five or more~~] the  
17 applicable minimum number of years of service credit [~~acquired~~  
18 ~~as a result of personal service rendered in the employ of an~~  
19 ~~affiliated public employer] required for normal retirement. As  
20 used in this paragraph, "service credit" means only the service  
21 credit earned by the member during periods of employment with  
22 an affiliated public employer; and~~

23 (3) the aggregate amount of service credit  
24 purchased pursuant to this subsection does not exceed five  
25 years.

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1           D. A member who was appointed to participate in a  
2 cooperative work study training program established jointly by  
3 a state agency and a state post-secondary educational  
4 institution may purchase service credit for the period of  
5 participation subject to the following conditions:

6           (1) the member pays the association the full  
7 actuarial present value of the amount of the increase in the  
8 employee's pension as a consequence of the purchase as  
9 determined by the association;

10           (2) the member pays the full cost of the  
11 purchase within sixty days of the date the member is informed  
12 of the amount of the payment;

13           (3) the member has [~~five or more~~] the  
14 applicable minimum number of years of service credit [~~acquired~~  
15 ~~as a result of personal service rendered in the employ of an~~  
16 ~~affiliated public employer] required for normal retirement. As  
17 used in this paragraph, "service credit" means only the service  
18 credit earned by the member during periods of employment with  
19 an affiliated public employer; and~~

20           (4) the aggregate amount of service credit  
21 purchased pursuant to this subsection does not exceed five  
22 years.

23           E. Except for service to be used under a state  
24 legislator coverage plan, the purchase cost for each month of  
25 service credit purchased pursuant to the provisions of this

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1 section is equal to the member's final average salary  
2 multiplied by the sum of the member contribution rate and  
3 employer contribution rate, determined in accordance with the  
4 coverage plan applicable to the member at the time of the  
5 written election to purchase. The purchase cost for each year  
6 of service credit to be used under a state legislator coverage  
7 plan is equal to three times the normal member contribution per  
8 year of service credit under the state legislator coverage plan  
9 applicable to the member. Full payment shall be made in a  
10 single lump sum within sixty days of the date the member is  
11 informed of the amount of the payment. The portion of the  
12 purchase cost derived from the employer contribution rate shall  
13 be credited to the employer's accumulation fund and shall not  
14 be paid out of the association in the event of cessation of  
15 membership. In no case shall a member be credited with a month  
16 of service for less than the purchase cost as defined in this  
17 section.

18 F. A member shall be refunded, upon written request  
19 filed with the association, the portion of the purchase cost of  
20 service credit purchased pursuant to this section that the  
21 association determines to have been unnecessary to provide the  
22 member with the maximum pension applicable to the member. The  
23 association shall not pay interest on the portion of the  
24 purchase cost refunded to the member.

25 G. A member of the magistrate retirement system who

1 during the member's service as a magistrate was eligible to  
 2 become a member of the public employees retirement system and  
 3 elected not to become a member of that system may purchase  
 4 service credit pursuant to the public employees retirement  
 5 system for the period for which the magistrate elected not to  
 6 become a public employees retirement system member by paying  
 7 the amount of the increase in the actuarial present value of  
 8 the magistrate pension as a consequence of the purchase as  
 9 determined by the association. Full payment shall be made in a  
 10 single lump-sum amount in accordance with procedures  
 11 established by the retirement board. Except as provided in  
 12 Subsection F of this section, seventy-five percent of the  
 13 purchase cost shall be considered to be employer contributions  
 14 and shall not be refunded to the member in the event of  
 15 cessation of membership.

16 H. At any time prior to retirement, any member may  
 17 purchase service credit in monthly increments, subject to the  
 18 following conditions:

19 (1) the member has [~~at least five~~] the  
 20 applicable minimum number of years of service credit [~~acquired~~  
 21 ~~as a result of personal service rendered in the employ of an~~  
 22 ~~affiliated public employer] required for normal retirement. As  
 23 used in this paragraph, "service credit" means only the service  
 24 credit earned by the member during periods of employment with  
 25 an affiliated public employer;~~

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1                   (2) the aggregate amount of service credit  
2 purchased pursuant to this subsection does not exceed one  
3 year;

4                   (3) the member pays full actuarial present  
5 value of the amount of the increase in the employee's pension  
6 as a consequence of the purchase as determined by the  
7 association;

8                   (4) the member pays the full cost of the  
9 purchase within sixty days of the date the member is informed  
10 of the amount of the payment; and

11                   (5) the purchase of service credit under this  
12 subsection cannot be used to determine the final average salary  
13 or the pension factor or be used to exceed the pension maximum.

14                   I. A member receiving service credit under this  
15 section who enrolls in the retiree health care authority shall  
16 make contributions pursuant to Subsection C of Section 10-7C-15  
17 NMSA 1978."

18                   SECTION 5. Section 10-11-8 NMSA 1978 (being Laws 1987,  
19 Chapter 253, Section 8, as amended) is amended to read:

20                   "10-11-8. NORMAL RETIREMENT--RETURN TO EMPLOYMENT--  
21 BENEFITS CONTINUED--[EMPLOYER] CONTRIBUTIONS.--

22                   A. A member may retire upon fulfilling the  
23 following requirements prior to the selected date of  
24 retirement:

25                   (1) a written application for normal

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1 retirement, in the form prescribed by the association, is filed  
2 with the association;

3 (2) employment is terminated with all  
4 employers covered by any state system or the educational  
5 retirement system;

6 (3) the member selects an effective date of  
7 retirement that is the first day of a calendar month; and

8 (4) the member meets the age and service  
9 credit requirement for normal retirement specified in the  
10 coverage plan applicable to the member.

11 B. The amount of normal retirement pension is  
12 determined in accordance with the coverage plan applicable to  
13 the member.

14 C. Except as provided in Subsection ~~[D]~~ E of this  
15 section, on or after July 1, 2010, a retired member may be  
16 subsequently employed by an affiliated public employer only  
17 pursuant to the following provisions:

18 (1) the retired member has not been employed  
19 as an employee of an affiliated public employer or retained as  
20 an independent contractor by the affiliated public employer  
21 from which the retired member retired for at least twelve  
22 consecutive months from the date of retirement to the  
23 commencement of employment or reemployment with an affiliated  
24 public employer;

25 (2) the previously retired member's pension

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1 shall be suspended upon commencement of the employment;

2 (3) except as provided in Subsection ~~[F]~~ G of  
3 this section, the previously retired member shall not become a  
4 member and thus the previously retired member shall not accrue  
5 ~~[no]~~ service credit and the previously retired member and that  
6 person's affiliated public employer shall not make ~~[no]~~  
7 contributions under any coverage plan pursuant to the Public  
8 Employees Retirement Act; and

9 (4) upon termination of the subsequent  
10 employment, the previously retired member's pension shall  
11 resume in accordance with the provisions of Subsection A of  
12 this section.

13 D. Notwithstanding the provisions of Subsection B  
14 of Section 10-11-118 NMSA 1978, on and after July 1, 2013, if a  
15 retired member becomes employed with an employer pursuant to  
16 the Educational Retirement Act:

17 (1) the retired member's cost-of-living  
18 pension adjustment shall be suspended upon commencement of the  
19 employment; and

20 (2) upon termination of the employment, the  
21 retired member's suspended cost-of-living pension adjustment  
22 shall be reinstated as provided under Subsection B of Section  
23 10-11-118 NMSA 1978.

24 ~~[D.]~~ E. The provisions of ~~[Subsection]~~  
25 Subsections C and H of this section do not apply to:

1 (1) a retired member employed by the  
2 legislature for legislative session work;

3 (2) a retired member employed temporarily as a  
4 precinct board member for a municipal election or an election  
5 covered by the Election Code; or

6 (3) a retired member who is elected to serve a  
7 term as an elected official; provided that:

8 (a) the retired member files an  
9 irrevocable exemption from membership with the association  
10 within thirty days of taking office; and

11 (b) the irrevocable exemption shall be  
12 for the elected official's term of office.

13 [~~E.~~] F. A retired member who returns to employment  
14 during retirement pursuant to Subsection [~~D~~] E of this section  
15 is entitled to receive retirement benefits but is not entitled  
16 to accrue service credit or to acquire or purchase service  
17 credit in the future for the period of the previously retired  
18 member's reemployment with an affiliated public employer.

19 [~~F.~~] G. At any time during a previously retired  
20 member's subsequent employment pursuant to Subsection C of this  
21 section, the previously retired member may elect to become a  
22 member and the following conditions shall apply:

23 (1) the previously retired member and the  
24 subsequent affiliated public employer shall make the required  
25 employee and employer contributions, and the previously retired

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1 member shall accrue service credit for the period of subsequent  
2 employment; and

3 (2) when the previously retired member  
4 terminates the subsequent employment with an affiliated public  
5 employer, the previously retired member shall retire according  
6 to the provisions of the Public Employees Retirement Act,  
7 subject to the following conditions:

8 (a) payment of the pension shall resume  
9 in accordance with the provisions of Subsection A of this  
10 section;

11 (b) unless the previously retired member  
12 accrued at least three years of service credit on account of  
13 the subsequent employment, the recalculation of pension shall:  
14 1) employ the form of payment selected by the previously  
15 retired member at the time of the first retirement; and 2) use  
16 the provisions of the coverage plan applicable to the member on  
17 the date of the first retirement; and

18 (c) the recalculated pension shall not  
19 be less than the amount of the suspended pension.

20 [~~G.~~] H. A previously retired member who returned to  
21 work with an affiliated public employer prior to July 1, 2010  
22 shall be subject to the provisions of this section in effect on  
23 the date the previously retired member returned to work;  
24 provided that:

25 (1) on and after July 1, 2010, the previously

1 retired member shall pay the employee contribution in an amount  
 2 specified in the Public Employees Retirement Act for the  
 3 position in which the previously retired member is employed;

4 (2) notwithstanding the provisions of  
 5 Subsection B of Section 10-11-118 NMSA 1978, on and after July  
 6 1, 2013, the previously retired member's cost-of-living pension  
 7 adjustment shall be suspended; and

8 (3) upon termination of the employment with an  
 9 affiliated public employer, the previously retired member's  
 10 cost-of-living pension adjustment shall be reinstated as  
 11 provided in Subsection B of Section 10-11-118 NMSA 1978.

12 [H.] I. The pension of a member who has earned  
 13 service credit under more than one coverage plan shall be  
 14 determined as follows:

15 (1) the pension of a member who has three or  
 16 more years of service credit earned on or before June 30, 2013  
 17 under each of two or more coverage plans shall be determined in  
 18 accordance with the coverage plan that produces the highest  
 19 pension;

20 (2) the pension of a member who has service  
 21 credit earned on or before June 30, 2013 under two or more  
 22 coverage plans but who has three or more years of service  
 23 credit under only one of those coverage plans shall be  
 24 determined in accordance with the coverage plan in which the  
 25 member has three or more years of service credit. If the

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1 service credit is acquired under two different coverage plans  
2 applied to the same affiliated public employer as a consequence  
3 of an election by the members, adoption by the affiliated  
4 public employer or a change in the law that results in the  
5 application of a coverage plan with a greater pension, the  
6 greater pension shall be paid a member retiring from the  
7 affiliated public employer under which the change in coverage  
8 plan took place regardless of the amount of service credit  
9 under the coverage plan producing the greater pension; provided  
10 that the member has three or more years of continuous  
11 employment with that affiliated public employer immediately  
12 preceding or immediately preceding and immediately following  
13 the date the coverage plan changed;

14 (3) the pension of a member who has service  
15 credit earned on or before June 30, 2013 under each of two or  
16 more coverage plans and who has service credit earned under any  
17 coverage plan on or after July 1, 2013 shall be equal to the  
18 sum of:

19 (a) the pension attributable to the  
20 service credit earned on or before June 30, 2013 determined  
21 pursuant to Paragraph (1) or (2) of this subsection; and

22 (b) the pension attributable to the  
23 service credit earned under each coverage plan on or after July  
24 1, 2013;

25 (4) the pension of a member who has service

1 credit earned only on and after July 1, 2013 shall be equal to  
 2 the sum of the pension attributable to the service credit the  
 3 member has accrued under each coverage plan; and

4 (5) the provisions of each coverage plan for  
 5 the purpose of this subsection shall be those in effect at the  
 6 time the member ceased to be covered by the coverage plan.

7 "Service credit", for the purposes of this subsection, shall be  
 8 only personal service rendered an affiliated public employer  
 9 and credited to the member under the provisions of Subsection A  
 10 of Section 10-11-4 NMSA 1978. Service credited under any other  
 11 provision of the Public Employees Retirement Act shall not be  
 12 used to satisfy the three-year service credit requirement of  
 13 this subsection."

14 SECTION 6. Section 10-11-10.1 NMSA 1978 (being Laws 1993,  
 15 Chapter 160, Section 3) is amended to read:

16 "10-11-10.1. DISABILITY RETIREMENT.--

17 A. There is created a "disability review committee"  
 18 of the retirement board. The disability review committee shall  
 19 consist of at least three but not more than five retirement  
 20 board members and at least one physician licensed in New Mexico  
 21 appointed by the retirement board. The disability review  
 22 committee shall review all applications for disability  
 23 retirement, review reports required under this section and  
 24 approve or deny applications for disability retirement.

25 B. The disability review committee may retire a

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1 member on account of disability before the time the member  
2 would otherwise be eligible for retirement if the following  
3 requirements are satisfied:

4 (1) the member applying for disability  
5 retirement was a member at the time the disability was  
6 incurred;

7 (2) a written application for disability  
8 retirement, in the form and containing the information  
9 prescribed by the association, has been filed with the  
10 association by the member or by the member's affiliated public  
11 employer;

12 (3) employment is terminated within forty-five  
13 days of the date of approval of the application for disability  
14 retirement;

15 (4) if:

16 (a) the member has [~~five or more~~] the  
17 applicable minimum number of years of service credit required  
18 for normal retirement. For the purposes of this subparagraph,  
19 "service credit" means only the service credit earned by the  
20 member during periods of employment with an affiliated public  
21 employer; or

22 (b) the disability review committee  
23 finds the disability to have been the natural and proximate  
24 result of causes arising solely and exclusively out of and in  
25 the course of the member's performance of duty with an

1 affiliated public employer;

2 (5) the member submits to all medical  
3 examinations and tests and furnishes copies of all medical  
4 reports requested by the association or disability review  
5 committee; provided that if the disability review committee  
6 requires independent medical or other examinations, those  
7 examinations shall be performed at the association's expense;  
8 and

9 (6) the disability review committee makes the  
10 determination required under Subsection C of this section.

11 C. The disability review committee shall review  
12 applications for disability retirement to determine whether:

13 (1) if the member is a currently employed,  
14 contributing employee of an affiliated public employer:

15 (a) the member is mentally or physically  
16 totally incapacitated for continued employment with an  
17 affiliated public employer; and

18 (b) the incapacity is likely to be  
19 permanent; or

20 (2) if the member is not a currently employed,  
21 contributing employee of an affiliated public employer:

22 (a) the member is mentally or physically  
23 totally incapacitated for any gainful employment; and

24 (b) the incapacity is likely to be  
25 permanent.

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underscoring material = new  
~~[bracketed material] = delete~~

1           D. The disability retirement pension shall be paid  
2 for a period of one year after approval of the initial  
3 application unless the disability review committee for good  
4 cause shown grants disability retirement for a longer period of  
5 time. After approval, payment shall be effective commencing  
6 the first of the month following submission of the initial  
7 application and termination of employment.

8           E. At the end of the first year that a disability  
9 retirement pension is paid, the disability retired member's  
10 condition shall be reevaluated to determine eligibility for  
11 continuation of payment of a disability retirement pension. If  
12 the disability retired member has applied for disability  
13 benefits under the federal social security program, [~~he~~] the  
14 member shall submit copies of [~~his~~] the member's application.  
15 The association shall continue payment of the state disability  
16 retirement pension if the disability retired member presents a  
17 written final determination from the federal social security  
18 administration that the disability retired member qualifies,  
19 based on the same [~~condition or~~] conditions as presented in the  
20 application for a state disability retirement pension, for  
21 federal disability benefits.

22           F. If the disability retired member applied for  
23 federal disability benefits within thirty days of receiving  
24 approval for a state disability retirement pension but the  
25 federal social security administration has not made a written

1 final determination of entitlement by the end of the first year  
2 that the disability retired member has received a state  
3 disability retirement pension, eligibility for continued  
4 payment of the state disability retirement pension shall be  
5 determined by the disability review committee. The state  
6 disability retirement pension shall be discontinued if the  
7 disability review committee finds that the disability retired  
8 member is capable of any gainful employment.

9 G. The disability retired member shall notify the  
10 association of the federal social security administration's  
11 final determination within fifteen working days of the date of  
12 issuance of the final written determination. If the federal  
13 social security administration denies federal disability  
14 benefits, the state disability retirement pension shall be  
15 discontinued effective the first of the month following the  
16 month in which the written final determination of the federal  
17 social security administration was issued. If the federal  
18 social security administration grants federal disability  
19 benefits, the state disability retirement pension shall be  
20 continued so long as the disability retired member provides  
21 annually, on or before the anniversary date of commencement of  
22 payment of the state disability retirement pension, written  
23 evidence of continuation of payment of federal disability  
24 benefits. If the disability review committee has denied  
25 continuation of payment of a state disability retirement

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1 pension and the disability retired member is later granted  
2 federal disability benefits, the state disability retirement  
3 pension shall be reinstated effective the first of the month  
4 following the month in which the state disability retirement  
5 pension was discontinued.

6 H. If, at the time of reevaluation under Subsection  
7 E of this section, the disability retired member has applied  
8 for and has qualified for federal disability benefits, but for  
9 a different condition than was reviewed by the disability  
10 review committee, the disability review committee shall review  
11 the disability retired member's condition as described by the  
12 application for federal disability benefits. The process set  
13 forth in Subsection I of this section shall be followed to  
14 determine whether payment of a state disability retirement  
15 pension should be continued.

16 I. If the disability retired member is not eligible  
17 to apply for federal disability benefits or is not a member of  
18 the federal social security program, the disability review  
19 committee annually shall determine eligibility for continuation  
20 of payment of a state disability retirement pension. To make  
21 its determination of continued entitlement, the disability  
22 review committee shall use the guidelines established by the  
23 federal social security administration for determination of  
24 eligibility for federal disability benefits. The determination  
25 shall be based on:

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1 (1) the medical and all other information  
2 provided by the disability retired member;

3 (2) at least one independent medical or other  
4 examination performed at the association's expense if required  
5 by the disability review committee; and

6 (3) any ~~and all~~ medical, vocational or other  
7 information related to the disability compiled during the  
8 period of disability by any medical or other practitioner  
9 consulted by the disability retired member regarding the  
10 disability which was not paid for by the association.

11 J. Each disability retired member annually shall  
12 submit to the association, prior to July 1, a statement of  
13 earnings from gainful employment during the preceding calendar  
14 year. The statement of earnings shall be in the form  
15 prescribed by the association. Payment of the state disability  
16 retirement pension shall be discontinued if the amount of  
17 earnings from gainful employment is one hundred percent or more  
18 of the amount ~~which~~ that causes a decrease or suspension of  
19 an old age benefit under the federal social security program,  
20 or fifteen thousand dollars (\$15,000), whichever is less.  
21 Payment of the state disability retirement pension shall be  
22 discontinued starting with the month of July if the statement  
23 of earnings is not received by the association prior to July 1.

24 K. Upon prior approval by the association, a  
25 disability retired member may return to employment with an

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1 affiliated public employer or other employer for a trial period  
2 not to exceed one hundred twenty calendar days without becoming  
3 a member or causing suspension or discontinuation of payment of  
4 a state disability retirement pension. If the trial period of  
5 employment is successfully completed, payment of the disability  
6 retirement pension shall be discontinued beginning the first of  
7 the month following the one hundred twentieth day of the trial  
8 period of employment. Trial periods of employment shall be  
9 limited to two in any five-year period following disability  
10 retirement.

11 L. If the disability retired member meets the  
12 minimum age and service credit requirements for normal  
13 retirement while receiving a disability retirement pension, the  
14 disability retirement pension shall be reclassified by the  
15 association as a normal retirement pension and no further  
16 determinations of eligibility for continuation of payment of  
17 the disability retirement pension shall be made. Upon  
18 reclassification as a normal retirement pension, all the  
19 provisions of [~~this~~] the Public Employees Retirement Act  
20 regarding normal retirement shall be applicable.

21 M. If the disability review committee found the  
22 disability to be the natural and proximate result of causes  
23 arising solely and exclusively out of and in the course of the  
24 member's employment with an affiliated public employer, service  
25 credit shall continue to accrue during the disability

1 retirement period as though the disability retired member was  
2 actively employed.

3 N. The amount of a disability retirement pension  
4 shall be calculated according to the provisions of the coverage  
5 plan applicable to the member at the time of application,  
6 except that the service credit requirement shall be waived and  
7 the actual amount of service credit shall be used instead. If  
8 the disability is the natural and proximate result of causes  
9 arising solely and exclusively out of and in the course of the  
10 member's performance of duty for an affiliated public employer,  
11 the amount of disability retirement pension shall be calculated  
12 according to the provisions of the coverage plan applicable to  
13 the member, imputing the amount of service credit necessary to  
14 meet the minimum service credit requirements for normal  
15 retirement.

16 O. For the purposes of this section, the following  
17 definitions apply:

18 (1) "continued employment with the affiliated  
19 public employer" means the ability of the member to fulfill the  
20 required duties of the position in which the member was last  
21 employed by [~~his~~] an affiliated public employer;

22 (2) "gainful employment" means remunerative  
23 employment or self-employment that is commensurate with the  
24 applicant's background, age, education, experience and any new  
25 skills or training the applicant may have acquired after

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1 terminating public employment or incurring the disability;

2 (3) "state disability retirement pension"  
3 means the pension paid pursuant to the provisions of this  
4 section; and

5 (4) "federal disability benefits" means those  
6 benefits paid by the federal social security program."

7 SECTION 7. Section 10-11-14.5 NMSA 1978 (being Laws 1993,  
8 Chapter 160, Section 4, as amended) is amended to read:

9 "10-11-14.5. DEATH BEFORE RETIREMENT--SURVIVOR PENSIONS.--

10 A. A survivor pension may be paid to certain  
11 persons related to or designated by a member who dies before  
12 normal or disability retirement if a written application for  
13 the pension, in the form prescribed by the association, is  
14 filed with the association by the potential survivor  
15 beneficiary or beneficiaries within one year of the death of  
16 the member. Applications may be filed on behalf of the  
17 potential survivor beneficiary or beneficiaries or by a person  
18 legally authorized to represent them.

19 B. If there is no designated survivor beneficiary  
20 and the retirement board finds the death to have been the  
21 natural and proximate result of causes arising solely and  
22 exclusively out of and in the course of the member's  
23 performance of duty with an affiliated public employer, a  
24 survivor pension shall be payable to the eligible surviving  
25 spouse. The amount of the survivor pension shall be the

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1 greater of:

2 (1) the amount as calculated under the  
3 coverage plan applicable to the deceased member at the time of  
4 death as though the deceased member had retired the day  
5 preceding death under form of payment B using the actual amount  
6 of service credit attributable to the deceased member at the  
7 time of death; or

8 (2) fifty percent of the deceased member's  
9 final average salary.

10 C. A survivor pension shall also be payable to  
11 eligible surviving children if there is no designated survivor  
12 beneficiary and the retirement board finds the death to have  
13 been the natural and proximate result of causes arising solely  
14 and exclusively out of and in the course of the member's  
15 performance of duty with an affiliated public employer. The  
16 total amount of survivor pension payable for all eligible  
17 surviving children shall be either:

18 (1) fifty percent of the deceased member's  
19 final average salary if an eligible surviving spouse is not  
20 paid a pension; or

21 (2) twenty-five percent of the deceased  
22 member's final average salary if an eligible surviving spouse  
23 is paid a pension.

24 The total amount of survivor pension shall be divided  
25 equally among all eligible surviving children. If there is

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1 only one eligible child, the amount of pension shall be twenty-  
2 five percent of the deceased member's final average salary.

3 D. If the member had [~~five or more~~] the applicable  
4 minimum number of years of service credit required for normal  
5 retirement, but the retirement board did not find the death to  
6 have been the natural and proximate result of causes arising  
7 solely and exclusively out of and in the course of the member's  
8 performance of duty with an affiliated public employer and  
9 there is no designated survivor beneficiary, a survivor pension  
10 shall be payable to the eligible surviving spouse. The amount  
11 of the survivor pension shall be the greater of:

12 (1) the amount as calculated under the  
13 coverage plan applicable to the deceased member at the time of  
14 death as though the deceased member had retired the day  
15 preceding death under form of payment B using the total amount  
16 of actual service credit attributable to the deceased member at  
17 the time of death; or

18 (2) thirty percent of the deceased member's  
19 final average salary.

20 E. If the member had [~~five or more~~] the applicable  
21 minimum number of years of service credit required for normal  
22 retirement, but the retirement board did not find the death to  
23 have been the natural and proximate result of causes arising  
24 solely and exclusively out of and in the course of the member's  
25 performance of duty with an affiliated public employer and

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1 there is no designated survivor beneficiary, and if there is no  
2 eligible surviving spouse at the time of death, a survivor  
3 pension shall be payable to and divided equally among all  
4 eligible surviving children, if any. The total amount of  
5 survivor pension payable for all eligible surviving children  
6 shall be the greater of:

7 (1) the amount as calculated under the  
8 coverage plan applicable to the deceased member at the time of  
9 death as though the deceased member had retired the day  
10 preceding death under form of payment B with the oldest  
11 eligible surviving child as the survivor beneficiary using the  
12 total amount of actual service credit attributable to the  
13 deceased member at the time of death; or

14 (2) thirty percent of the deceased member's  
15 final average salary.

16 F. An eligible surviving spouse is the spouse to  
17 whom the deceased member was married at the time of death. An  
18 eligible surviving child is a child under the age of eighteen  
19 years and who is an unmarried, natural or adopted child of the  
20 deceased member.

21 G. An eligible surviving spouse's pension shall  
22 terminate upon death. An eligible surviving child's pension  
23 shall terminate upon death or marriage or reaching age eighteen  
24 years, whichever comes first.

25 H. If there is no designated survivor beneficiary

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1 and there is no eligible surviving child, the eligible  
2 surviving spouse may elect to be refunded the deceased member's  
3 accumulated member contributions instead of receiving a  
4 survivor pension.

5 I. A member may designate a survivor beneficiary to  
6 receive a pre-retirement survivor pension, subject to the  
7 following conditions:

8 (1) a written designation, in the form  
9 prescribed by the association, is filed by the member with the  
10 association;

11 (2) if the member is married at the time of  
12 designation, the designation shall only be made with the  
13 consent of the member's spouse, in the form prescribed by the  
14 association;

15 (3) if the member is married subsequent to the  
16 time of designation, any prior designations shall automatically  
17 be revoked upon the date of the marriage;

18 (4) if the member is divorced subsequent to  
19 the time of designation, any prior designation of the former  
20 spouse as survivor beneficiary shall automatically be revoked  
21 upon the date of divorce; and

22 (5) a designation of survivor beneficiary may  
23 be changed, with the member's spouse's consent if the member is  
24 married, by the member at any time prior to the member's death.

25 J. If there is a designated survivor beneficiary

1 and the retirement board finds the death to have been the  
 2 natural and proximate result of causes arising solely and  
 3 exclusively out of and in the course of the member's  
 4 performance of duty with an affiliated public employer, a  
 5 survivor pension shall be payable to the designated survivor  
 6 beneficiary. The amount of the survivor pension shall be the  
 7 greater of:

8 (1) the amount as calculated under the  
 9 coverage plan applicable to the deceased member at the time of  
 10 death as though the deceased member had retired the day  
 11 preceding death under form of payment B using the actual amount  
 12 of service credit attributable to the member at the time of  
 13 death; or

14 (2) fifty percent of the deceased member's  
 15 final average salary.

16 K. If there is a designated survivor beneficiary,  
 17 if the member had [~~five or more~~] the applicable minimum number  
 18 of years of service credit required for normal retirement and  
 19 if the retirement board did not find the death to have been the  
 20 natural and proximate result of causes arising solely and  
 21 exclusively out of and in the course of the member's  
 22 performance of duty with an affiliated public employer, a  
 23 survivor pension shall be payable to the designated survivor  
 24 beneficiary. The amount of the survivor pension shall be the  
 25 greater of:

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1 (1) the amount as calculated under the  
2 coverage plan applicable to the deceased member at the time of  
3 death as though the deceased member had retired the day  
4 preceding death under form of payment B using the actual amount  
5 of service credit attributable to the member at the time of  
6 death; or

7 (2) thirty percent of the deceased member's  
8 final average salary.

9 L. If all pension payments permanently terminate  
10 before there is paid an aggregate amount equal to the deceased  
11 member's accumulated member contributions at time of death, the  
12 difference between the amount of accumulated member  
13 contributions and the aggregate amount of pension paid shall be  
14 paid to the deceased member's refund beneficiary. If no refund  
15 beneficiary survives the survivor beneficiary, the difference  
16 shall be paid to the estate of the deceased member.

17 M. For purposes of this section, "service credit"  
18 means only the service credit earned by a member during periods  
19 of employment with an affiliated public employer."

20 SECTION 8. Section 10-11-14.6 NMSA 1978 (being Laws 2009,  
21 Chapter 288, Section 12) is amended to read:

22 "10-11-14.6. CALCULATION OF FINAL AVERAGE SALARY.--Under  
23 [~~each coverage plan of~~] the Public Employees Retirement Act:

24 A. for a member who was a member on June 30, 2013,  
25 the final average salary is one thirty-sixth of the greatest

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1 aggregate amount of salary paid a member for thirty-six  
 2 consecutive, but not necessarily continuous, months of service  
 3 credit; and

4 B. for a member who was not a member on June 30,  
 5 2013, the final average salary is one-sixtieth of the greatest  
 6 aggregate amount of salary paid a member for sixty consecutive,  
 7 but not necessarily continuous, months of service credit."

8 SECTION 9. Section 10-11-26.1 NMSA 1978 (being Laws 1994,  
 9 Chapter 128, Section 2) is amended to read:

10 "10-11-26.1. STATE GENERAL MEMBER COVERAGE PLAN 3--  
 11 APPLICABILITY.--State general member coverage plan 3 is  
 12 applicable to peace officer members and is applicable to state  
 13 general members in the first full pay period after July 1, 1995  
 14 if the retirement board certifies to the secretary of state  
 15 that a majority of the members voting of those members to be  
 16 covered under state general member coverage plan 3 has voted to  
 17 approve adoption of this plan at an election conducted pursuant  
 18 to Laws 1994, Chapter 128, Section 17 [~~of this act~~]."

19 SECTION 10. Section 10-11-26.2 NMSA 1978 (being Laws  
 20 1994, Chapter 128, Section 3, as amended) is amended to read:

21 "10-11-26.2. STATE GENERAL MEMBER COVERAGE PLAN 3--AGE  
 22 AND SERVICE CREDIT REQUIREMENTS FOR NORMAL RETIREMENT.--

23 A. Under state general member coverage plan 3:

24 (1) for a member who [~~is~~] on or before June  
 25 30, 2013 was a peace officer and for a member who is not a

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1 peace officer but was a retired member or a member on June 30,  
2 [~~2010~~] 2013, the age and service credit requirements for normal  
3 retirement are:

4 (a) age sixty-five years or older and  
5 five or more years of service credit;

6 (b) age sixty-four years and eight or  
7 more years of service credit;

8 (c) age sixty-three years and eleven or  
9 more years of service credit;

10 (d) age sixty-two years and fourteen or  
11 more years of service credit;

12 (e) age sixty-one years and seventeen or  
13 more years of service credit;

14 (f) age sixty years and twenty or more  
15 years of service credit; [~~and~~] or

16 (g) any age and twenty-five or more  
17 years of service credit; [~~and~~]

18 (2) for a member who is not a peace officer  
19 and was not a retired member or a member on June 30, [~~2010~~]  
20 2013, the age and service requirements for normal retirement  
21 are:

22 (a) age [~~sixty-seven~~] sixty-five years  
23 or older and [~~five~~] eight or more years of service credit; or

24 (b) any age if the member has eight or  
25 more years of service credit and the sum of the member's age

1 and years of service credit equals at least ~~[eighty; or~~

2 ~~(c) any age and thirty or more years of~~  
 3 ~~service credit]~~ eighty-five; and

4 (3) for a member who on or after July 1, 2013  
 5 becomes a peace officer and who was not a retired member or a  
 6 member on June 30, 2013, the age and service requirements for  
 7 normal retirement are:

8 (a) age sixty years or older and six or  
 9 more years of service credit; or

10 (b) any age and twenty-five or more  
 11 years of service credit.

12 B. As used in this section, "peace officer" means  
 13 any employee of the state with a duty to maintain public order  
 14 or to make arrests for crime, whether that duty extends to all  
 15 crimes or is limited to specific crimes, and who is not  
 16 specifically covered by another coverage plan."

17 SECTION 11. Section 10-11-26.3 NMSA 1978 (being Laws  
 18 1994, Chapter 128, Section 4) is amended to read:

19 "10-11-26.3. STATE GENERAL MEMBER COVERAGE PLAN 3--AMOUNT  
 20 OF PENSION--FORM OF PAYMENT A.--Under state general member  
 21 coverage plan 3:

22 A. for a member with age and service requirements  
 23 provided under Paragraph (1) or (3) of Subsection A of Section  
 24 10-11-26.2 NMSA 1978, the amount of pension under form of  
 25 payment A is equal to three percent of final average salary

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1 multiplied by service credit. The amount shall not exceed  
2 [~~eighty~~] ninety percent of the final average salary; and

3 B. for a member with age and service requirements  
4 provided under Paragraph (2) of Subsection A of Section  
5 10-11-26.2 NMSA 1978, the amount of pension under form of  
6 payment A is equal to two and one-half percent of the final  
7 average salary multiplied by service credit. The amount shall  
8 not exceed ninety percent of the final average salary."

9 SECTION 12. Section 10-11-26.5 NMSA 1978 (being Laws  
10 1994, Chapter 128, Section 6, as amended) is amended to read:

11 "10-11-26.5. STATE GENERAL MEMBER COVERAGE PLAN 3--MEMBER  
12 CONTRIBUTION RATE.--~~[A member under state general member~~  
13 ~~coverage plan 3 shall contribute seven and forty-two hundredths~~  
14 ~~percent of salary starting with the first full pay period that~~  
15 ~~ends within the calendar month in which state general member~~  
16 ~~coverage plan 3 becomes applicable to the member except that~~  
17 ~~for members whose annual salary is greater than twenty thousand~~  
18 ~~dollars (\$20,000):~~

19 ~~A. from July 1, 2009 through June 30, 2011, the~~  
20 ~~member contribution rate shall be eight and ninety-two~~  
21 ~~hundredths percent of salary;~~

22 ~~B. from July 1, 2011 through June 30, 2012, the~~  
23 ~~member contribution rate shall be ten and sixty-seven~~  
24 ~~hundredths percent of salary; and~~

25 ~~C. from July 1, 2012 through June 30, 2013, the~~

1 ~~member contribution rate shall be eight and ninety-two~~  
 2 ~~hundredths percent of salary]~~ A member under state general  
 3 member coverage plan 3 shall contribute seven and forty-two  
 4 hundredths percent of salary starting with the first full pay  
 5 period that ends within the calendar month in which state  
 6 general member coverage plan 3 becomes applicable to the  
 7 member, except that a member whose annual salary is greater  
 8 than twenty thousand dollars (\$20,000) shall contribute eight  
 9 and ninety-two hundredths percent of salary."

10 SECTION 13. Section 10-11-26.6 NMSA 1978 (being Laws  
 11 1994, Chapter 128, Section 7, as amended) is amended to read:

12 "10-11-26.6. STATE GENERAL MEMBER COVERAGE PLAN 3--STATE  
 13 CONTRIBUTION RATE.--The state shall contribute sixteen and  
 14 [~~fifty-nine hundredths~~] ninety-nine hundredths percent of the  
 15 salary of each member covered by state general member coverage  
 16 plan 3 starting with the first pay period that ends within the  
 17 calendar month in which state general member coverage plan 3  
 18 becomes applicable to the member, except that, [~~for members~~  
 19 ~~whose annual salary is greater than twenty thousand dollars~~  
 20 ~~(\$20,000):~~

21 A. ~~from July 1, 2009 through June 30, 2011, the~~  
 22 ~~state contribution rate shall be fifteen and nine-hundredths~~  
 23 ~~percent of the salary of each member;~~

24 B. ~~from July 1, 2011 through June 30, 2012, the~~  
 25 ~~state contribution rate shall be thirteen and thirty-four~~

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1 ~~hundredths percent of the salary of each member; and~~

2 ~~C. from July 1, 2012 through June 30, 2013, the~~  
3 ~~state contribution rate shall be fifteen and nine-hundredths~~  
4 ~~percent of the salary of each member] from July 1, 2013 through~~  
5 ~~June 30, 2014, the state contribution rate shall be sixteen and~~  
6 ~~fifty-nine hundredths percent of the salary of each member."~~

7 SECTION 14. Section 10-11-27 NMSA 1978 (being Laws 1987,  
8 Chapter 253, Section 27, as amended by Laws 2003, Chapter 268,  
9 Section 9 and by Laws 2003, Chapter 269, Section 1) is amended  
10 to read:

11 "10-11-27. STATE POLICE MEMBER AND ADULT CORRECTIONAL  
12 OFFICER MEMBER COVERAGE PLAN 1--APPLICABILITY--CREDITED  
13 SERVICE.--

14 A. State police member and adult correctional  
15 officer member coverage plan 1 is applicable to state police  
16 members who are not specifically covered by another coverage  
17 plan and to adult correctional officer members.

18 B. The credited service of a state police member  
19 who was a retired member or a member on June 30, 2013 and who  
20 has held the permanent rank of patrolman, sergeant, lieutenant  
21 or captain and does not hold an exempt rank or who is assigned  
22 to the aircraft division as a pilot, or of an adult  
23 correctional officer member, shall have actual credited service  
24 increased by twenty percent for the purposes of state police  
25 member and adult correctional officer member coverage plan 1.

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1           C. Except as provided in Subsection B of this  
 2 section, the credited service of a member covered under state  
 3 police member and adult correctional officer member coverage  
 4 plan 1 shall be credited as provided in Section 10-11-4 NMSA  
 5 1978.

6           [~~B.~~] D. State police member and adult correctional  
 7 officer member coverage plan 1 is applicable to adult  
 8 correctional officer members in the first full pay period after  
 9 July 1, 2004 if the retirement board certifies to the secretary  
 10 of state that, of those adult correctional officer members to  
 11 be covered under state police member and adult correctional  
 12 officer member coverage plan 1, a majority of the members  
 13 voting have voted to approve adoption of that plan at an  
 14 election conducted pursuant to [~~Section 16 of this 2003 act~~]  
 15 Laws 2003, Chapter 268, Section 16."

16           **SECTION 15.** Section 10-11-27.2 NMSA 1978 (being Laws  
 17 2003, Chapter 269, Section 2) is amended to read:

18           "10-11-27.2. LEGISLATIVE FINDINGS.--The legislature finds  
 19 that:

20           A. it is appropriate to recognize the  
 21 professionalism and dedication of state police officers, who  
 22 provide an essential service to the citizens of New Mexico;

23           B. it is appropriate to recognize the hazardous  
 24 nature of the work performed by state police officers;

25           C. the spirit of what it takes to be a state police

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1 officer is personified by Sergeant Brent H. Bateman, who served  
2 with honor as a state police officer for twenty-two years.

3 Sergeant Bateman became ill days after his retirement and  
4 passed away a short six months following retirement; and

5 D. the twenty percent credit [~~towards~~] toward  
6 actual service, as provided in Subsection B of Section 10-11-27  
7 NMSA 1978 under state police member coverage plan 1, is  
8 dedicated to Sergeant Brent H. Bateman and all other officers  
9 who have served, and who do serve, as New Mexico state police  
10 officers."

11 SECTION 16. Section 10-11-28 NMSA 1978 (being Laws 1987,  
12 Chapter 253, Section 28, as amended) is amended to read:

13 "10-11-28. STATE POLICE MEMBER AND ADULT CORRECTIONAL  
14 OFFICER MEMBER COVERAGE PLAN 1--AGE AND SERVICE REQUIREMENTS  
15 FOR NORMAL RETIREMENT.--Under state police member and adult  
16 correctional officer member coverage plan 1:

17 A. for a member who was a retired member or a  
18 member on June 30, 2013, the age and service requirements for  
19 normal retirement are:

20 [~~A.~~] (1) age sixty-five years or older and  
21 five or more years of credited service;

22 [~~B.~~] (2) age sixty-four years and eight or  
23 more years of credited service;

24 [~~C.~~] (3) age sixty-three years and eleven or  
25 more years of credited service;

1                   ~~[D-]~~ (4) age sixty-two years and fourteen or  
2 more years of credited service;

3                   ~~[E-]~~ (5) age sixty-one years and seventeen or  
4 more years of credited service;

5                   ~~[F-]~~ (6) age sixty years and twenty or more  
6 years of credited service; or

7                   ~~[G-]~~ (7) any age and twenty-five or more years  
8 of credited service; and

9                   B. for a member who was not a retired member or a  
10 member on June 30, 2013, the age and service requirements for  
11 normal retirement are:

12                   (1) age sixty years or older and six or more  
13 years of service credit; or

14                   (2) any age and twenty-five or more years of  
15 service credit."

16                   SECTION 17. Section 10-11-29 NMSA 1978 (being Laws 1987,  
17 Chapter 253, Section 29, as amended) is amended to read:

18                   "10-11-29. STATE POLICE MEMBER AND ADULT CORRECTIONAL  
19 OFFICER MEMBER COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF  
20 PAYMENT A.--Under state police member and adult correctional  
21 officer member coverage plan 1, the amount of pension under  
22 form of payment A is equal to three percent of final average  
23 salary multiplied by credited service. The amount shall not  
24 exceed ~~[eighty]~~ ninety percent of the final average salary."

25                   SECTION 18. Section 10-11-31 NMSA 1978 (being Laws 1987,

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1 Chapter 253, Section 31, as amended) is amended to read:

2 "10-11-31. STATE POLICE MEMBER AND ADULT CORRECTIONAL  
3 OFFICER MEMBER COVERAGE PLAN 1--MEMBER CONTRIBUTION RATE.--[A  
4 ~~member under state police member and adult correctional officer~~  
5 ~~member coverage plan 1 shall contribute seven and six-tenths~~  
6 ~~percent of salary except that for members whose annual salary~~  
7 ~~is greater than twenty thousand dollars (\$20,000):~~

8 A. ~~from July 1, 2009 through June 30, 2011, the~~  
9 ~~member contribution rate shall be nine and one-tenth percent of~~  
10 ~~salary;~~

11 B. ~~from July 1, 2011 through June 30, 2012, the~~  
12 ~~member contribution rate shall be ten and eighty-five~~  
13 ~~hundredths percent of salary; and~~

14 C. ~~from July 1, 2012 through June 30, 2013, the~~  
15 ~~member contribution rate shall be nine and one-tenth percent of~~  
16 ~~salary] A member under state police member and adult  
17 correctional officer member coverage plan 1 shall contribute  
18 seven and six-tenths percent of salary, except that a member  
19 whose annual salary is greater than twenty thousand dollars  
20 (\$20,000) shall contribute nine and one-tenth percent of  
21 salary."~~

22 SECTION 19. Section 10-11-32 NMSA 1978 (being Laws 1987,  
23 Chapter 253, Section 32, as amended) is amended to read:

24 "10-11-32. STATE POLICE MEMBER AND ADULT CORRECTIONAL  
25 OFFICER MEMBER COVERAGE PLAN 1--STATE CONTRIBUTION RATE.--The

underscored material = new  
[bracketed material] = delete

1 state shall contribute twenty-five and [~~one-tenth~~] one-half  
 2 percent of the salary of each member under state police member  
 3 and adult correctional officer member coverage plan 1, except  
 4 that, [~~for members whose annual salary is greater than twenty~~  
 5 ~~thousand dollars (\$20,000):~~

6 A. ~~from July 1, 2009 through June 30, 2011, the~~  
 7 ~~state contribution rate shall be twenty-three and six-tenths~~  
 8 ~~percent of the salary of each member;~~

9 B. ~~from July 1, 2011 through June 30, 2012, the~~  
 10 ~~state contribution rate shall be twenty-one and eighty-five~~  
 11 ~~hundredths percent of the salary of each member; and~~

12 C. ~~from July 1, 2012 through June 30, 2013, the~~  
 13 ~~state contribution rate shall be twenty-three and six-tenths~~  
 14 ~~percent of the salary of each member] from July 1, 2013 through  
 15 June 30, 2014, the state contribution rate shall be twenty-five  
 16 and one-tenth percent of the salary of each member."~~

17 SECTION 20. Section 10-11-33 NMSA 1978 (being Laws 1987,  
 18 Chapter 253, Section 33) is amended to read:

19 "10-11-33. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
 20 OFFICER MEMBER COVERAGE PLAN 1--APPLICABILITY.--[~~State~~  
 21 ~~hazardous duty~~] Juvenile correctional officer member coverage  
 22 plan 1 is applicable to [~~state hazardous duty~~] juvenile  
 23 correctional officer members who are not specifically covered  
 24 by another coverage plan."

25 SECTION 21. Section 10-11-34 NMSA 1978 (being Laws 1987,

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1 Chapter 253, Section 34) is amended to read:

2 "10-11-34. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
3 OFFICER MEMBER COVERAGE PLAN 1--AGE AND SERVICE REQUIREMENTS  
4 FOR NORMAL RETIREMENT.--Under [~~state hazardous duty~~] juvenile  
5 correctional officer member coverage plan 1, the age and  
6 service requirements for normal retirement are:

7 A. age sixty-five years or older and five or more  
8 years of credited service;

9 B. age sixty-four years and eight or more years of  
10 credited service;

11 C. age sixty-three years and eleven or more years  
12 of credited service;

13 D. age sixty-two years and fourteen or more years  
14 of credited service;

15 E. age sixty-one years and seventeen or more years  
16 of credited service;

17 F. age sixty years and twenty or more years of  
18 credited service; or

19 G. any age and twenty-five or more years of  
20 credited service."

21 SECTION 22. Section 10-11-35 NMSA 1978 (being Laws 1987,  
22 Chapter 253, Section 35) is amended to read:

23 "10-11-35. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
24 OFFICER MEMBER COVERAGE PLAN 1--AMOUNT OF PENSION--FORM OF  
25 PAYMENT A.--Under [~~state hazardous duty~~] juvenile correctional

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1 officer member coverage plan 1, the amount of pension under  
 2 form of payment A is equal to two and one-half percent of final  
 3 average salary multiplied by credited service. The amount  
 4 shall not exceed one hundred percent of the final average  
 5 salary."

6 SECTION 23. Section 10-11-37 NMSA 1978 (being Laws 1987,  
 7 Chapter 253, Section 37) is amended to read:

8 "10-11-37. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
 9 OFFICER MEMBER COVERAGE PLAN 1--MEMBER CONTRIBUTION RATE.--A  
 10 member under [~~state hazardous duty~~] juvenile correctional  
 11 officer member coverage plan 1 shall contribute four percent of  
 12 salary."

13 SECTION 24. Section 10-11-38 NMSA 1978 (being Laws 1987,  
 14 Chapter 253, Section 38) is amended to read:

15 "10-11-38. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
 16 OFFICER MEMBER COVERAGE PLAN 1--STATE CONTRIBUTION RATE.--The  
 17 state shall contribute twenty-one and five-tenths percent of  
 18 the salary of each member under [~~state hazardous duty~~] juvenile  
 19 correctional officer member coverage plan 1."

20 SECTION 25. Section 10-11-38.1 NMSA 1978 (being Laws  
 21 1994, Chapter 128, Section 9) is amended to read:

22 "10-11-38.1. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
 23 OFFICER MEMBER COVERAGE PLAN 2--APPLICABILITY.--[~~State~~  
 24 ~~hazardous duty~~] Juvenile correctional officer member coverage  
 25 plan 2 is applicable to [~~state hazardous duty~~] juvenile

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1 correctional officer members in the first full pay period after  
2 July 1, 1995 if the retirement board certifies to the secretary  
3 of state that a majority of the members voting of those members  
4 to be covered under [~~state hazardous duty~~] juvenile  
5 correctional officer member coverage plan 2 has voted to  
6 approve adoption of this plan at an election conducted pursuant  
7 to Laws 1994, Chapter 128, Section 17 [~~of this act~~]."

8 SECTION 26. Section 10-11-38.2 NMSA 1978 (being Laws  
9 1994, Chapter 128, Section 10) is amended to read:

10 "10-11-38.2. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
11 OFFICER MEMBER COVERAGE PLAN 2--AGE AND SERVICE CREDIT  
12 REQUIREMENTS FOR NORMAL RETIREMENT.--Under [~~state hazardous~~  
13 ~~duty~~] juvenile correctional officer member coverage plan 2:

14 A. for a member who was a retired member or a  
15 member on June 30, 2013, the age and service credit  
16 requirements for normal retirement are:

17 [~~A.~~] (1) age sixty-five years or older and  
18 five or more years of service credit;

19 [~~B.~~] (2) age sixty-four years and eight or  
20 more years of service credit;

21 [~~C.~~] (3) age sixty-three years and eleven or  
22 more years of service credit;

23 [~~D.~~] (4) age sixty-two years and fourteen or  
24 more years of service credit;

25 [~~E.~~] (5) age sixty-one years and seventeen or

1 more years of service credit;

2 ~~[F.]~~ (6) age sixty years and twenty or more  
3 years of service credit; and

4 ~~[G.]~~ (7) any age and twenty-five or more years  
5 of service credit; and

6 B. for a member who was not a retired member or a  
7 member on June 30, 2013, the age and service requirements for  
8 normal retirement are:

9 (1) age sixty years or older and six or more  
10 years of service credit; or

11 (2) any age and twenty-five or more years of  
12 service credit."

13 SECTION 27. Section 10-11-38.3 NMSA 1978 (being Laws  
14 1994, Chapter 128, Section 11) is amended to read:

15 "10-11-38.3. ~~[STATE HAZARDOUS DUTY]~~ JUVENILE CORRECTIONAL  
16 OFFICER MEMBER COVERAGE PLAN 2--AMOUNT OF PENSION--FORM OF  
17 PAYMENT A.--Under ~~[state hazardous duty]~~ juvenile correctional  
18 officer member coverage plan 2, the amount of pension under  
19 form of payment A is equal to three percent of final average  
20 salary multiplied by service credit. The amount shall not  
21 exceed ~~[one hundred]~~ ninety percent of the final average  
22 salary."

23 SECTION 28. Section 10-11-38.5 NMSA 1978 (being Laws  
24 1994, Chapter 128, Section 13, as amended) is amended to read:

25 "10-11-38.5. ~~[STATE HAZARDOUS DUTY]~~ JUVENILE CORRECTIONAL  
  
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1 OFFICER MEMBER COVERAGE PLAN 2--MEMBER CONTRIBUTION RATE.--[A  
2 ~~member under state hazardous duty member coverage plan 2 shall~~  
3 ~~contribute four and seventy-eight hundredths percent of salary~~  
4 ~~starting with the first full pay period that ends within the~~  
5 ~~calendar month in which state hazardous duty member coverage~~  
6 ~~plan 2 becomes applicable to the member except that for members~~  
7 ~~whose annual salary is greater than twenty thousand dollars~~  
8 ~~(\$20,000):~~

9           A. ~~from July 1, 2009 through June 30, 2011, the~~  
10 ~~member contribution rate shall be six and twenty-eight~~  
11 ~~hundredths percent of salary;~~

12           B. ~~from July 1, 2011 through June 30, 2012, the~~  
13 ~~member contribution rate shall be eight and three-hundredths~~  
14 ~~percent of salary; and~~

15           C. ~~from July 1, 2012 through June 30, 2013, the~~  
16 ~~member contribution rate shall be six and twenty-eight~~  
17 ~~hundredths percent of salary]~~ A member under juvenile

18 correctional officer member coverage plan 2 shall contribute  
19 four and seventy-eight hundredths percent of salary starting  
20 with the first full pay period that ends within the calendar  
21 month in which juvenile correctional officer member coverage  
22 plan 2 becomes applicable to the member, except that a member  
23 whose annual salary is greater than twenty thousand dollars  
24 (\$20,000) shall contribute six and twenty-eight hundredths  
25 percent of salary."

1           SECTION 29. Section 10-11-38.6 NMSA 1978 (being Laws  
2 1994, Chapter 128, Section 14, as amended) is amended to read:

3           "10-11-38.6. [~~STATE HAZARDOUS DUTY~~] JUVENILE CORRECTIONAL  
4 OFFICER MEMBER COVERAGE PLAN 2--STATE CONTRIBUTION RATE.--The  
5 state shall contribute [~~twenty-five and seventy-two hundredths~~]  
6 twenty-six and twelve-hundredths percent of the salary of each  
7 member covered by [~~state hazardous duty~~] juvenile correctional  
8 officer member coverage plan 2 starting with the first pay  
9 period that ends within the calendar month in which [~~state~~  
10 ~~hazardous duty~~] juvenile correctional officer member coverage  
11 plan 2 becomes applicable to the member, except that, [~~for~~  
12 ~~members whose annual salary is greater than twenty thousand~~  
13 ~~dollars (\$20,000):~~

14           A. ~~from July 1, 2009 through June 30, 2011, the~~  
15 ~~state contribution rate shall be twenty-four and twenty-two~~  
16 ~~hundredths percent of the salary of each member;~~

17           B. ~~from July 1, 2011 through June 30, 2012, the~~  
18 ~~state contribution rate shall be twenty-two and forty-seven~~  
19 ~~hundredths percent of the salary of each member; and~~

20           C. ~~from July 1, 2012 through June 30, 2013, the~~  
21 ~~state contribution rate shall be twenty-four and twenty-two~~  
22 ~~hundredths percent of the salary of each member] from July 1,~~

23 2013 through June 30, 2014, the state contribution rate shall  
24 be twenty-five and seventy-two hundredths percent of the salary  
25 of each member."

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1           SECTION 30. Section 10-11-38.7 NMSA 1978 (being Laws  
2 1994, Chapter 128, Section 15) is amended to read:

3           "10-11-38.7. SERVICE CREDIT UNDER THIS PLAN REQUIRED.--  
4 Notwithstanding the provisions of Section [~~10 of this act~~]  
5 10-11-38.2 NMSA 1978, to qualify for payment under [~~state~~  
6 ~~hazardous duty~~] juvenile correctional officer member coverage  
7 plan 2, a member shall have one and one-half years of service  
8 credit earned under the [~~state hazardous duty~~] juvenile  
9 correctional officer member coverage plan 2 subsequent to July  
10 1, 1995."

11           SECTION 31. Section 10-11-45 NMSA 1978 (being Laws 1987,  
12 Chapter 253, Section 45, as amended) is amended to read:

13           "10-11-45. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--AGE  
14 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
15 municipal general member coverage plan 1:

16           A. for a member who was a retired member or a  
17 member on June 30, [~~2010~~] 2013, the age and service  
18 requirements for normal retirement are:

19                   (1) age sixty-five years or older and five or  
20 more years of service credit;

21                   (2) age sixty-four years and eight or more  
22 years of service credit;

23                   (3) age sixty-three years and eleven or more  
24 years of service credit;

25                   (4) age sixty-two years and fourteen or more

1 years of service credit;

2 (5) age sixty-one years and seventeen or more  
3 years of service credit;

4 (6) age sixty years and twenty or more years  
5 of service credit; or

6 (7) any age and twenty-five or more years of  
7 service credit; and

8 B. for a member who was not a retired member or a  
9 member on June 30, [~~2010~~] 2013, the age and service  
10 requirements for normal retirement are:

11 (1) age [~~sixty-seven~~] sixty-five years or  
12 older and [~~five~~] eight or more years of service credit; or

13 (2) any age if the member has eight or more  
14 years of service credit and the sum of the member's age and  
15 years of service credit equals at least [~~eighty; or~~

16 ~~(3) any age and thirty or more years of~~  
17 ~~service credit] eighty-five."~~

18 SECTION 32. Section 10-11-46 NMSA 1978 (being Laws 1987,  
19 Chapter 253, Section 46) is amended to read:

20 "10-11-46. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--  
21 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal general  
22 member coverage plan 1, the amount of pension under form of  
23 payment A is equal to two percent of the final average salary  
24 multiplied by credited service. The amount shall not exceed  
25 [~~sixty~~] ninety percent of the final average salary."

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1           SECTION 33. Section 10-11-48 NMSA 1978 (being Laws 1987,  
2 Chapter 253, Section 48) is amended to read:

3           "10-11-48. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--  
4 MEMBER CONTRIBUTION RATE.--~~[A member under municipal general~~  
5 ~~member coverage plan 1 shall contribute seven percent of~~  
6 ~~salary]~~ A member under municipal general member coverage plan 1  
7 shall contribute seven percent of salary starting with the  
8 first full pay period in the calendar month in which municipal  
9 general member coverage plan 1 becomes applicable to the  
10 member, except that a member whose annual salary is greater  
11 than twenty thousand dollars (\$20,000) shall contribute eight  
12 and one-half percent of salary."

13           SECTION 34. Section 10-11-49 NMSA 1978 (being Laws 1987,  
14 Chapter 253, Section 49) is amended to read:

15           "10-11-49. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 1--  
16 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated  
17 public employer shall contribute seven and four-tenths percent  
18 of the salary of each member ~~[which]~~ it employs and who is  
19 covered under municipal general member coverage plan 1, except  
20 that, from July 1, 2013 through June 30, 2014, the affiliated  
21 public employer contribution rate shall be seven percent of the  
22 salary of each member."

23           SECTION 35. Section 10-11-51 NMSA 1978 (being Laws 1987,  
24 Chapter 253, Section 51, as amended) is amended to read:

25           "10-11-51. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--AGE  
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1 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
2 municipal general member coverage plan 2:

3 A. for a member who was a retired member or a  
4 member on June 30, [~~2010~~] 2013, the age and service  
5 requirements for normal retirement are:

6 (1) age sixty-five years or older and five or  
7 more years of service credit;

8 (2) age sixty-four years and eight or more  
9 years of service credit;

10 (3) age sixty-three years and eleven or more  
11 years of service credit;

12 (4) age sixty-two years and fourteen or more  
13 years of service credit;

14 (5) age sixty-one years and seventeen or more  
15 years of service credit;

16 (6) age sixty years and twenty or more years  
17 of service credit; or

18 (7) any age and twenty-five or more years of  
19 service credit; and

20 B. for a member who was not a retired member or a  
21 member on June 30, [~~2010~~] 2013, the age and service  
22 requirements for normal retirement are:

23 (1) age [~~sixty-seven~~] sixty-five years or  
24 older and [~~five~~] eight or more years of service credit; or

25 (2) any age if the member has eight or more

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1 years of service credit and the sum of the member's age and  
2 years of service credit equals at least [eighty; or  
3 (3) any age and thirty or more years of  
4 service credit] eighty-five."

5 SECTION 36. Section 10-11-52 NMSA 1978 (being Laws 1987,  
6 Chapter 253, Section 52) is amended to read:

7 "10-11-52. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--  
8 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal general  
9 member coverage plan 2:

10 A. for a member with age and service requirements  
11 provided in Subsection A of Section 10-11-51 NMSA 1978, the  
12 amount of pension under form of payment A is equal to two and  
13 one-half percent of the final average salary multiplied by  
14 credited service. The amount shall not exceed [seventy-five]  
15 ninety percent of the final average salary; and

16 B. for a member with age and service requirements  
17 provided in Subsection B of Section 10-11-51 NMSA 1978, the  
18 amount of pension under form of payment A is equal to two  
19 percent of the final average salary multiplied by service  
20 credit. The amount shall not exceed ninety percent of the  
21 final average salary."

22 SECTION 37. Section 10-11-54 NMSA 1978 (being Laws 1987,  
23 Chapter 253, Section 54) is amended to read:

24 "10-11-54. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--  
25 MEMBER CONTRIBUTION RATE.--~~[A member under municipal general~~

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1 ~~member coverage plan 2 shall contribute nine and fifteen one-~~  
 2 ~~hundredths percent of salary starting with the first full pay~~  
 3 ~~period in the calendar month in which coverage plan 2 becomes~~  
 4 ~~applicable to the member.] A member under municipal general  
 5 member coverage plan 2 shall contribute nine and fifteen-  
 6 hundredths percent of salary starting with the first full pay  
 7 period in the calendar month in which municipal general member  
 8 coverage plan 2 becomes applicable to the member, except that a  
 9 member whose annual salary is greater than twenty thousand  
 10 dollars (\$20,000) shall contribute ten and sixty-five  
 11 hundredths percent of salary."~~

12 SECTION 38. Section 10-11-55 NMSA 1978 (being Laws 1987,  
 13 Chapter 253, Section 55) is amended to read:

14 "10-11-55. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 2--  
 15 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated  
 16 public employer shall contribute nine and [~~fifteen one-~~  
 17 ~~hundredths~~] fifty-five hundredths percent of the salary of each  
 18 member [~~which~~] it employs and who is covered under municipal  
 19 general member coverage plan 2, except that, from July 1, 2013  
 20 through June 30, 2014, the affiliated public employer  
 21 contribution rate shall be nine and fifteen-hundredths percent  
 22 of the salary of each member."

23 SECTION 39. Section 10-11-55.2 NMSA 1978 (being Laws  
 24 1993, Chapter 58, Section 2, as amended) is amended to read:

25 "10-11-55.2. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--  
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underscored material = new  
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1 AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
2 municipal general member coverage plan 3:

3 A. for a member who was a retired member or a  
4 member on June 30, [~~2010~~] 2013, the age and service  
5 requirements for normal retirement are:

6 (1) age sixty-five years or older and five or  
7 more years of service credit;

8 (2) age sixty-four years and eight or more  
9 years of service credit;

10 (3) age sixty-three years and eleven or more  
11 years of service credit;

12 (4) age sixty-two years and fourteen or more  
13 years of service credit;

14 (5) age sixty-one years and seventeen or more  
15 years of service credit;

16 (6) age sixty years and twenty or more years  
17 of service credit; or

18 (7) any age and twenty-five or more years of  
19 service credit; and

20 B. for a member who was not a retired member or a  
21 member on June 30, [~~2010~~] 2013, the age and service  
22 requirements for normal retirement are:

23 (1) age [~~sixty-seven~~] sixty-five years or  
24 older and [~~five~~] eight or more years of service credit; or

25 (2) any age if the member has eight or more

underscored material = new  
[bracketed material] = delete

1 years of service credit and the sum of the member's age and  
 2 years of service credit equals at least [eighty; or  
 3 (3) any age and thirty or more years of  
 4 service credit] eighty-five."

5 SECTION 40. Section 10-11-55.3 NMSA 1978 (being Laws  
 6 1993, Chapter 58, Section 3) is amended to read:

7 "10-11-55.3. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--  
 8 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal general  
 9 member coverage plan 3:

10 A. for a member with age and service requirements  
 11 provided under Subsection A of Section 10-11-55.2 NMSA 1978,  
 12 the amount of pension under form of payment A is equal to three  
 13 percent of the final average salary multiplied by credited  
 14 service. The amount shall not exceed [eighty] ninety percent  
 15 of the final average salary; and

16 B. for a member with age and service requirements  
 17 provided under Subsection B of Section 10-11-55.2 NMSA 1978,  
 18 the amount of pension under form of payment A is equal to two  
 19 and one-half percent of the final average salary multiplied by  
 20 credited service. The amount shall not exceed ninety percent  
 21 of the final average salary."

22 SECTION 41. Section 10-11-55.5 NMSA 1978 (being Laws  
 23 1993, Chapter 58, Section 5) is amended to read:

24 "10-11-55.5. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--  
 25 MEMBER CONTRIBUTION RATE.--~~[A member under municipal general~~

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1 ~~member coverage plan 3 shall contribute thirteen and fifteen~~  
2 ~~one-hundredths percent of salary starting with the first full~~  
3 ~~pay period in the calendar month in which coverage plan 3~~  
4 ~~becomes applicable to the member.] A member under municipal  
5 general member coverage plan 3 shall contribute thirteen and  
6 fifteen-hundredths percent of salary starting with the first  
7 full pay period in the calendar month in which municipal  
8 general member coverage plan 3 becomes applicable to the  
9 member, except that a member whose annual salary is greater  
10 than twenty thousand dollars (\$20,000) shall contribute  
11 fourteen and sixty-five hundredths percent of salary."~~

12 SECTION 42. Section 10-11-55.6 NMSA 1978 (being Laws  
13 1993, Chapter 58, Section 6) is amended to read:

14 "10-11-55.6. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 3--  
15 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated  
16 public employer shall contribute nine and [~~fifteen one-~~  
17 ~~hundredths~~] fifty-five hundredths percent of the salary of each  
18 member it employs and who is covered under municipal general  
19 member coverage plan 3, except that, from July 1, 2013 through  
20 June 30, 2014, the affiliated public employer contribution rate  
21 shall be nine and fifteen-hundredths percent of the salary of  
22 each member."

23 SECTION 43. Section 10-11-55.8 NMSA 1978 (being Laws  
24 1998, Chapter 106, Section 2, as amended) is amended to read:

25 "10-11-55.8. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--  
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1 AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
2 municipal general member coverage plan 4:

3 A. for a member who was a retired member or a  
4 member on June 30, [~~2010~~] 2013, the age and service  
5 requirements for normal retirement are:

6 (1) age sixty-five years or older and five or  
7 more years of service credit;

8 (2) age sixty-four years and eight or more  
9 years of service credit;

10 (3) age sixty-three years and eleven or more  
11 years of service credit;

12 (4) age sixty-two years and fourteen or more  
13 years of service credit;

14 (5) age sixty-one years and seventeen or more  
15 years of service credit;

16 (6) age sixty years and twenty or more years  
17 of service credit; or

18 (7) any age and twenty-five or more years of  
19 service credit; and

20 B. for a member who was not a retired member or a  
21 member on June 30, [~~2010~~] 2013, the age and service  
22 requirements for normal retirement are:

23 (1) age [~~sixty-seven~~] sixty-five years or  
24 older and [~~five~~] eight or more years of service credit; or

25 (2) any age if the member has eight or more

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1 years of service credit and the sum of the member's age and  
2 years of service credit equals at least [eighty; or  
3 (3) any age and thirty or more years of  
4 service credit] eighty-five."

5 SECTION 44. Section 10-11-55.9 NMSA 1978 (being Laws  
6 1998, Chapter 106, Section 3) is amended to read:

7 "10-11-55.9. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--  
8 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal general  
9 member coverage plan 4:

10 A. for a member with age and service requirements  
11 provided under Subsection A of Section 10-11-55.8 NMSA 1978,  
12 the amount of pension under form of payment A is equal to three  
13 percent of the final average salary multiplied by credited  
14 service. The amount shall not exceed [eighty] ninety percent  
15 of the final average salary; and

16 B. for a member with age and service requirements  
17 provided under Subsection B of Section 10-11-55.8 NMSA 1978,  
18 the amount of pension under form of payment A is equal to two  
19 and one-half percent of the final average salary multiplied by  
20 credited service. The amount shall not exceed ninety percent  
21 of the final average salary."

22 SECTION 45. Section 10-11-55.11 NMSA 1978 (being Laws  
23 1998, Chapter 106, Section 5) is amended to read:

24 "10-11-55.11. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--  
25 MEMBER CONTRIBUTION RATE.--~~[A member under municipal general~~

1 ~~member coverage plan 4 shall contribute fifteen and sixty-five~~  
 2 ~~hundredths percent of salary starting with the first full pay~~  
 3 ~~period in the calendar month in which coverage plan 4 becomes~~  
 4 ~~applicable to the member.] A member under municipal general  
 5 member coverage plan 4 shall contribute fifteen and sixty-five  
 6 hundredths percent of salary starting with the first full pay  
 7 period in the calendar month in which municipal general member  
 8 coverage plan 4 becomes applicable to the member, except that a  
 9 member whose annual salary is greater than twenty thousand  
 10 dollars (\$20,000) shall contribute seventeen and fifteen-  
 11 hundredths percent of salary."~~

12           SECTION 46. Section 10-11-55.12 NMSA 1978 (being Laws  
 13 1998, Chapter 106, Section 6) is amended to read:

14           "10-11-55.12. MUNICIPAL GENERAL MEMBER COVERAGE PLAN 4--  
 15 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--An affiliated  
 16 public employer shall contribute [~~eleven and sixty-five~~  
 17 ~~hundredths]~~ twelve and five-hundredths percent of the salary of  
 18 each member it employs and who is covered under municipal  
 19 general member coverage plan 4, except that, from July 1, 2013  
 20 through June 30, 2014, the affiliated public employer  
 21 contribution rate shall be eleven and sixty-five hundredths  
 22 percent of the salary of each member."

23           SECTION 47. Section 10-11-57 NMSA 1978 (being Laws 1987,  
 24 Chapter 253, Section 57) is amended to read:

25           "10-11-57. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--AGE  
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1 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
2 municipal police member coverage plan 1:

3 A. for a member who was a retired member or a  
4 member on June 30, 2013, the age and service requirements for  
5 normal retirement are:

6 [~~A.~~] (1) age sixty-five years or older and  
7 five or more years of credited service;

8 [~~B.~~] (2) age sixty-four years and eight or  
9 more years of credited service;

10 [~~C.~~] (3) age sixty-three years and eleven or  
11 more years of credited service;

12 [~~D.~~] (4) age sixty-two years and fourteen or  
13 more years of credited service;

14 [~~E.~~] (5) age sixty-one years and seventeen or  
15 more years of credited service;

16 [~~F.~~] (6) age sixty years and twenty or more  
17 years of credited service; or

18 [~~G.~~] (7) any age and twenty-five or more years  
19 of credited service; and

20 B. for a member who was not a retired member or a  
21 member on June 30, 2013, the age and service requirements for  
22 normal retirement are:

23 (1) age sixty years or older and six or more  
24 years of service credit; or

25 (2) any age and twenty-five or more years of

1 service credit."

2 SECTION 48. Section 10-11-58 NMSA 1978 (being Laws 1987,  
3 Chapter 253, Section 58) is amended to read:

4 "10-11-58. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--  
5 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
6 member coverage plan 1, the amount of pension under form of  
7 payment A is equal to two percent of the final average salary  
8 multiplied by credited service. The amount shall not exceed  
9 [~~sixty~~] ninety percent of the final average salary."

10 SECTION 49. Section 10-11-60 NMSA 1978 (being Laws 1987,  
11 Chapter 253, Section 60) is amended to read:

12 "10-11-60. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--  
13 MEMBER CONTRIBUTION RATE.--~~[A member under municipal police~~  
14 ~~member coverage plan 1 shall contribute seven percent of~~  
15 ~~salary.]~~ A member under municipal police member coverage plan 1  
16 shall contribute seven percent of salary starting with the  
17 first full pay period in the calendar month in which municipal  
18 police member coverage plan 1 becomes applicable to the member,  
19 except that a member whose annual salary is greater than twenty  
20 thousand dollars (\$20,000) shall contribute eight and one-half  
21 percent of salary."

22 SECTION 50. Section 10-11-61 NMSA 1978 (being Laws 1987,  
23 Chapter 253, Section 61) is amended to read:

24 "10-11-61. MUNICIPAL POLICE MEMBER COVERAGE PLAN 1--  
25 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated

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1 public employer shall contribute ten and four-tenths percent of  
2 the salary of each member [~~which~~] it employs and who is covered  
3 under municipal police member coverage plan 1, except that,  
4 from July 1, 2013 through June 30, 2014, the affiliated public  
5 employer contribution rate shall be ten percent of the salary  
6 of each member."

7 SECTION 51. Section 10-11-63 NMSA 1978 (being Laws 1987,  
8 Chapter 253, Section 63) is amended to read:

9 "10-11-63. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--AGE  
10 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
11 municipal police coverage plan 2:

12 A. for a member who was a retired member or a  
13 member on June 30, 2013, the age and service requirements for  
14 normal retirement are:

15 [~~A.~~] (1) age sixty-five years or older and  
16 five or more years of credited service;

17 [~~B.~~] (2) age sixty-four years and eight or  
18 more years of credited service;

19 [~~C.~~] (3) age sixty-three years and eleven or  
20 more years of credited service;

21 [~~D.~~] (4) age sixty-two years and fourteen or  
22 more years of credited service;

23 [~~E.~~] (5) age sixty-one years and seventeen or  
24 more years of credited service;

25 [~~F.~~] (6) age sixty years and twenty or more

1 years of credited service; or

2 ~~[6.]~~ (7) any age and twenty-five or more years  
3 of credited service; and

4 B. for a member who was not a retired member or a  
5 member on June 30, 2013, the age and service requirements for  
6 normal retirement are:

7 (1) age sixty years or older and six or more  
8 years of service credit; or

9 (2) any age and twenty-five or more years of  
10 service credit."

11 SECTION 52. Section 10-11-64 NMSA 1978 (being Laws 1987,  
12 Chapter 253, Section 64) is amended to read:

13 "10-11-64. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--  
14 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
15 member coverage plan 2:

16 A. for a member with age and service requirements  
17 provided under Subsection A of Section 10-11-63 NMSA 1978, the  
18 amount of pension under form of payment A is equal to two and  
19 one-half percent of the final average salary multiplied by  
20 credited service. The amount shall not exceed ~~[one hundred]~~  
21 ninety percent of the final average salary; and

22 B. for a member with age and service requirements  
23 provided under Subsection B of Section 10-11-63 NMSA 1978, the  
24 amount of pension under form of payment A is equal to two  
25 percent of the final average salary multiplied by credited

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1 service. The amount shall not exceed ninety percent of the  
2 final average salary."

3 SECTION 53. Section 10-11-66 NMSA 1978 (being Laws 1987,  
4 Chapter 253, Section 66) is amended to read:

5 "10-11-66. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--  
6 MEMBER CONTRIBUTION RATE.--~~[A member under municipal police~~  
7 ~~member coverage plan 2 shall contribute seven percent of~~  
8 ~~salary.]~~ A member under municipal police member coverage plan 2  
9 shall contribute seven percent of salary with the first full  
10 pay period in the calendar month in which municipal police  
11 member coverage plan 2 becomes applicable to the member, except  
12 that a member whose annual salary is greater than twenty  
13 thousand dollars (\$20,000) shall contribute eight and one-half  
14 percent of salary."

15 SECTION 54. Section 10-11-67 NMSA 1978 (being Laws 1987,  
16 Chapter 253, Section 67) is amended to read:

17 "10-11-67. MUNICIPAL POLICE MEMBER COVERAGE PLAN 2--  
18 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
19 public employer shall contribute fifteen and four-tenths  
20 percent of the salary of each member [which] it employs and who  
21 is covered under municipal police member coverage plan 2,  
22 except that, from July 1, 2013 through June 30, 2014, the  
23 affiliated public employer contribution rate shall be fifteen  
24 percent of the salary of each member."

25 SECTION 55. Section 10-11-69 NMSA 1978 (being Laws 1987,

1 Chapter 253, Section 69) is amended to read:

2 "10-11-69. MUNICIPAL POLICE MEMBER COVERAGE PLAN 3--AGE  
3 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
4 municipal police member coverage plan 3:

5 A. for a member who was a retired member or a  
6 member on June 30, 2013, the age and service requirements for  
7 normal retirement are:

8 [~~A.~~] (1) age sixty-five years or older and  
9 five or more years of credited service;

10 [~~B.~~] (2) age sixty-four years and eight or  
11 more years of credited service;

12 [~~C.~~] (3) age sixty-three years and eleven or  
13 more years of credited service;

14 [~~D.~~] (4) age sixty-two years and fourteen or  
15 more years of credited service;

16 [~~E.~~] (5) age sixty-one years and seventeen or  
17 more years of credited service; or

18 [~~F.~~] (6) any age and twenty or more years of  
19 credited service; and

20 B. for a member who was not a retired member or a  
21 member on June 30, 2013, the age and service requirements for  
22 normal retirement are:

23 (1) age sixty years or older and six or more  
24 years of service credit; or

25 (2) any age and twenty-five or more years of

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underscored material = new  
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1 service credit."

2 SECTION 56. Section 10-11-70 NMSA 1978 (being Laws 1987,  
3 Chapter 253, Section 70) is amended to read:

4 "10-11-70. MUNICIPAL POLICE MEMBER COVERAGE PLAN 3--  
5 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
6 member coverage plan 3:

7 A. for a member with age and service requirements  
8 provided under Subsection A of Section 10-11-69 NMSA 1978, the  
9 amount of pension under form of payment A is equal to two and  
10 one-half percent of the final average salary multiplied by  
11 credited service. The amount shall not exceed [~~one hundred~~  
12 ninety percent of the final average salary; and

13 B. for a member with age and service requirements  
14 provided under Subsection B of Section 10-11-69 NMSA 1978, the  
15 amount of pension under form of payment A is equal to two  
16 percent of the final average salary multiplied by credited  
17 service. The amount shall not exceed ninety percent of the  
18 final average salary."

19 SECTION 57. Section 10-11-72 NMSA 1978 (being Laws 1987,  
20 Chapter 253, Section 72) is amended to read:

21 "10-11-72. MUNICIPAL POLICE MEMBER COVERAGE PLAN 3--  
22 MEMBER CONTRIBUTION RATE.--~~[A member under municipal police~~  
23 ~~member coverage plan 3 shall contribute seven percent of~~  
24 ~~salary.]~~ A member under municipal police member coverage plan 3  
25 shall contribute seven percent of salary with the first full

1 pay period in the calendar month in which municipal police  
 2 member coverage plan 3 becomes applicable to the member, except  
 3 that a member whose annual salary is greater than twenty  
 4 thousand dollars (\$20,000) shall contribute eight and one-half  
 5 percent of salary."

6 SECTION 58. Section 10-11-73 NMSA 1978 (being Laws 1987,  
 7 Chapter 253, Section 73) is amended to read:

8 "10-11-73. MUNICIPAL POLICE MEMBER COVERAGE PLAN 3--  
 9 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
 10 public employer shall contribute eighteen and [~~one-half~~] nine-  
 11 tenths percent of the salary of each member [~~which~~] it employs  
 12 and who is covered under [~~coverage~~] municipal police member  
 13 coverage plan 3, except that, from July 1, 2013 through June  
 14 30, 2014, the affiliated public employer contribution rate  
 15 shall be eighteen and one-half percent of the salary of each  
 16 member."

17 SECTION 59. Section 10-11-75 NMSA 1978 (being Laws 1987,  
 18 Chapter 253, Section 75) is amended to read:

19 "10-11-75. MUNICIPAL POLICE MEMBER COVERAGE PLAN 4--AGE  
 20 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
 21 municipal police member coverage plan 4:

22 A. for a member who was a retired member or a  
 23 member on June 30, 2013, the age and service requirements for  
 24 normal retirement are:

25 [A.] (1) age sixty-five years or older and

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1 five or more years of credited service;

2 ~~[B.]~~ (2) age sixty-four years and eight or  
3 more years of credited service;

4 ~~[C.]~~ (3) age sixty-three years and eleven or  
5 more years of credited service;

6 ~~[D.]~~ (4) age sixty-two years and fourteen or  
7 more years of credited service;

8 ~~[E.]~~ (5) age sixty-one years and seventeen or  
9 more years of credited service; or

10 ~~[F.]~~ (6) any age and twenty or more years of  
11 credited service; and

12 B. for a member who was not a retired member or a  
13 member on June 30, 2013, the age and service requirements for  
14 normal retirement are:

15 (1) age sixty years or older and six or more  
16 years of service credit; or

17 (2) any age and twenty-five or more years of  
18 service credit."

19 SECTION 60. Section 10-11-76 NMSA 1978 (being Laws 1987,  
20 Chapter 253, Section 76) is amended to read:

21 "10-11-76. MUNICIPAL POLICE MEMBER COVERAGE PLAN 4--  
22 AMOUNT OF PENSION--FORM OF PENSION A.--Under municipal police  
23 member coverage plan 4:

24 A. for a member with age and service requirements  
25 provided under Subsection A of Section 10-11-75 NMSA 1978, the

underscored material = new  
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1 amount of pension under form of payment A is equal to three  
 2 percent of the final average salary multiplied by credited  
 3 service. The amount shall not exceed [~~eighty~~] ninety percent  
 4 of the final average salary; and

5 B. for a member with age and service requirements  
 6 provided under Subsection B of Section 10-11-75 NMSA 1978, the  
 7 amount of pension under form of payment A is equal to two and  
 8 one-half percent of the final average salary multiplied by  
 9 credited service. The amount shall not exceed ninety percent  
 10 of the final average salary."

11 SECTION 61. Section 10-11-78 NMSA 1978 (being Laws 1987,  
 12 Chapter 253, Section 78) is amended to read:

13 "10-11-78. MUNICIPAL POLICE MEMBER COVERAGE PLAN 4--  
 14 MEMBER CONTRIBUTION RATE.--~~[A member under municipal police~~  
 15 ~~member coverage plan 4 shall contribute twelve and thirty-five~~  
 16 ~~one-hundredths percent of salary starting with the first full~~  
 17 ~~pay period in the calendar month in which municipal police~~  
 18 ~~member coverage plan 4 becomes applicable to the member.]~~ A  
 19 member under municipal police member coverage plan 4 shall  
 20 contribute twelve and thirty-five hundredths percent of salary  
 21 starting with the first full pay period in the calendar month  
 22 in which municipal police member coverage plan 4 becomes  
 23 applicable to the member, except that a member whose annual  
 24 salary is greater than twenty thousand dollars (\$20,000) shall  
 25 contribute thirteen and eighty-five hundredths percent of

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1 salary."

2 SECTION 62. Section 10-11-79 NMSA 1978 (being Laws 1987,  
3 Chapter 253, Section 79) is amended to read:

4 "10-11-79. MUNICIPAL POLICE MEMBER COVERAGE PLAN 4--  
5 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
6 public employer shall contribute eighteen and [~~one-half~~] nine-  
7 tenths percent of the salary of each member [~~which~~] it employs  
8 and who is covered under municipal police member coverage plan  
9 4, except that, from July 1, 2013 through June 30, 2014, the  
10 affiliated public employer contribution rate shall be eighteen  
11 and one-half percent of the salary of each member."

12 SECTION 63. Section 10-11-81 NMSA 1978 (being Laws 1987,  
13 Chapter 253, Section 81) is amended to read:

14 "10-11-81. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--AGE  
15 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
16 municipal police member coverage plan 5:

17 A. for a member who was a retired member or a  
18 member on June 30, 2013, the age and service requirements for  
19 normal retirement are:

20 [~~A.~~] (1) age sixty-five years or older and  
21 five or more years of credited service;

22 [~~B.~~] (2) age sixty-four years and eight or  
23 more years of credited service;

24 [~~C.~~] (3) age sixty-three years and eleven or  
25 more years of credited service;

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1                   ~~[D.]~~ (4) age sixty-two years and fourteen or  
2 more years of credited service;

3                   ~~[E.]~~ (5) age sixty-one years and seventeen or  
4 more years of credited service; or

5                   ~~[F.]~~ (6) any age and twenty or more years of  
6 credited service; and

7                   B. for a member who was not a retired member or a  
8 member on June 30, 2013, the age and service requirements for  
9 normal retirement are:

10                   (1) age sixty years or older and six or more  
11 years of service credit; or

12                   (2) any age and twenty-five or more years of  
13 service credit."

14                   SECTION 64. Section 10-11-82 NMSA 1978 (being Laws 1987,  
15 Chapter 253, Section 82) is amended to read:

16                   "10-11-82. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--  
17 AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal police  
18 member coverage plan 5:

19                   A. for a member with age and service requirements  
20 provided under Subsection A of Section 10-11-81 NMSA 1978, the  
21 amount of pension under form of payment A is equal to three and  
22 one-half percent of the final average salary multiplied by  
23 credited service. The amount shall not exceed ~~[eighty]~~ ninety  
24 percent of the final average salary; and

25                   B. for a member with age and service requirements

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1 provided under Subsection B of Section 10-11-81 NMSA 1978, the  
2 amount of pension under form of payment A is equal to three  
3 percent of the final average salary multiplied by credited  
4 service. The amount shall not exceed ninety percent of the  
5 final average salary."

6 SECTION 65. Section 10-11-84 NMSA 1978 (being Laws 1987,  
7 Chapter 253, Section 84) is amended to read:

8 "10-11-84. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--  
9 MEMBER CONTRIBUTION RATE.--~~[A member under municipal police~~  
10 ~~member coverage plan 5 shall contribute sixteen and three-~~  
11 ~~tenths percent of salary starting with the first full pay~~  
12 ~~period in the calendar month in which municipal police member~~  
13 ~~coverage plan 5 becomes applicable to the member.]~~ A member  
14 under municipal police member coverage plan 5 shall contribute  
15 sixteen and three-tenths percent of salary starting with the  
16 first full pay period in the calendar month in which municipal  
17 police member coverage plan 5 becomes applicable to the member,  
18 except that a member whose annual salary is greater than twenty  
19 thousand dollars (\$20,000) shall contribute seventeen and  
20 eight-tenths percent of salary."

21 SECTION 66. Section 10-11-85 NMSA 1978 (being Laws 1987,  
22 Chapter 253, Section 85) is amended to read:

23 "10-11-85. MUNICIPAL POLICE MEMBER COVERAGE PLAN 5--  
24 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
25 public employer shall contribute eighteen and ~~[one-half]~~ nine-

1 tenths percent of the salary of each member [~~which~~] it employs  
 2 and who is covered under municipal police member coverage plan  
 3 5, except that, from July 1, 2013 through June 30, 2014, the  
 4 affiliated public employer contribution rate shall be eighteen  
 5 and one-half percent of the salary of each member."

6 SECTION 67. Section 10-11-87 NMSA 1978 (being Laws 1987,  
 7 Chapter 253, Section 87) is amended to read:

8 "10-11-87. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--AGE AND  
 9 SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under municipal  
 10 fire member coverage plan 1:

11 A. for a member who was a retired member or a  
 12 member on June 30, 2013, the age and service requirements for  
 13 normal retirement are:

14 [~~A.~~] (1) age sixty-five years or older and  
 15 five or more years of credited service;

16 [~~B.~~] (2) age sixty-four years and eight or  
 17 more years of credited service;

18 [~~C.~~] (3) age sixty-three years and eleven or  
 19 more years of credited service;

20 [~~D.~~] (4) age sixty-two years and fourteen or  
 21 more years of credited service;

22 [~~E.~~] (5) age sixty-one years and seventeen or  
 23 more years of credited service;

24 [~~F.~~] (6) age sixty years and twenty or more  
 25 years of credited service; or

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1                   [6-] (7) any age and twenty-five or more years  
2 of credited service; and

3                   B. for a member who was not a retired member or a  
4 member on June 30, 2013, the age and service requirements for  
5 normal retirement are:

6                   (1) age sixty years or older and six or more  
7 years of service credit; or

8                   (2) any age and twenty-five or more years of  
9 service credit."

10                  SECTION 68. Section 10-11-88 NMSA 1978 (being Laws 1987,  
11 Chapter 253, Section 88) is amended to read:

12                  "10-11-88. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--AMOUNT  
13 OF PENSION--FORM OF PAYMENT A.--Under municipal fire member  
14 coverage plan 1, the amount of pension under form of payment A  
15 is equal to two percent of the final average salary multiplied  
16 by credited service. The amount shall not exceed [sixty]  
17 ninety percent of the final average salary."

18                  SECTION 69. Section 10-11-90 NMSA 1978 (being Laws 1987,  
19 Chapter 253, Section 90, as amended) is amended to read:

20                  "10-11-90. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--MEMBER  
21 CONTRIBUTION RATE.--[~~A member under municipal fire member~~  
22 ~~coverage plan 1 shall contribute eight percent of salary.] A  
23 member under municipal fire member coverage plan 1 shall  
24 contribute eight percent of salary with the first full pay  
25 period in the calendar month in which municipal fire member~~

underscored material = new  
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1 coverage plan 1 becomes applicable to the member, except that a  
 2 member whose annual salary is greater than twenty thousand  
 3 dollars (\$20,000) shall contribute nine and one-half percent of  
 4 salary."

5 SECTION 70. Section 10-11-91 NMSA 1978 (being Laws 1987,  
 6 Chapter 253, Section 91, as amended) is amended to read:

7 "10-11-91. MUNICIPAL FIRE MEMBER COVERAGE PLAN 1--  
 8 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
 9 public employer shall contribute eleven and four-tenths percent  
 10 of the salary of each member [~~whom~~] it employs and covers under  
 11 municipal fire member coverage plan 1, except that, from July  
 12 1, 2013 through June 30, 2014, the affiliated public employer  
 13 contribution rate shall be eleven percent of the salary of each  
 14 member."

15 SECTION 71. Section 10-11-93 NMSA 1978 (being Laws 1987,  
 16 Chapter 253, Section 93) is amended to read:

17 "10-11-93. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--AGE AND  
 18 SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under municipal  
 19 fire member coverage plan 2:

20 A. for a member who was a retired member or a  
 21 member on June 30, 2013, the age and service requirements for  
 22 normal retirement are:

23 [A.] (1) age sixty-five years or older and  
 24 five or more years of credited service;

25 [B.] (2) age sixty-four years and eight or

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1 more years of credited service;

2 ~~[G.]~~ (3) age sixty-three years and eleven or  
3 more years of credited service;

4 ~~[D.]~~ (4) age sixty-two years and fourteen or  
5 more years of credited service;

6 ~~[E.]~~ (5) age sixty-one years and seventeen or  
7 more years of credited service;

8 ~~[F.]~~ (6) age sixty years and twenty or more  
9 years of credited service; or

10 ~~[G.]~~ (7) any age and twenty-five or more years  
11 of credited service; and

12 B. for a member who was not a retired member or a  
13 member on June 30, 2013, the age and service requirements for  
14 normal retirement are:

15 (1) age sixty years or older and six or more  
16 years of service credit; or

17 (2) any age and twenty-five or more years of  
18 service credit."

19 SECTION 72. Section 10-11-94 NMSA 1978 (being Laws 1987,  
20 Chapter 253, Section 94) is amended to read:

21 "10-11-94. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--AMOUNT  
22 OF PENSION--FORM OF PAYMENT A.--Under municipal fire member  
23 contribution plan 2:

24 A. for a member with age and service requirements  
25 provided under Subsection A of Section 10-11-93 NMSA 1978, the

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1 amount of pension under form of payment A is equal to two and  
 2 one-half percent of the final average salary multiplied by  
 3 credited service. The amount shall not exceed [~~one hundred~~]  
 4 ninety percent of the final average salary; and

5 B. for a member with age and service requirements  
 6 provided under Subsection B of Section 10-11-93 NMSA 1978, the  
 7 amount of pension under form of payment A is equal to two  
 8 percent of the final average salary multiplied by credited  
 9 service. The amount shall not exceed ninety percent of the  
 10 final average salary."

11 SECTION 73. Section 10-11-96 NMSA 1978 (being Laws 1987,  
 12 Chapter 253, Section 96, as amended) is amended to read:

13 "10-11-96. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--MEMBER  
 14 CONTRIBUTION RATE.--~~[A member under municipal fire member~~  
 15 ~~coverage plan 2 shall contribute eight percent of salary.] A~~  
 16 member under municipal fire member coverage plan 2 shall  
 17 contribute eight percent of salary with the first full pay  
 18 period in the calendar month in which municipal fire member  
 19 coverage plan 2 becomes applicable to the member, except that a  
 20 member whose annual salary is greater than twenty thousand  
 21 dollars (\$20,000) shall contribute nine and one-half percent of  
 22 salary."

23 SECTION 74. Section 10-11-97 NMSA 1978 (being Laws 1987,  
 24 Chapter 253, Section 97, as amended) is amended to read:

25 "10-11-97. MUNICIPAL FIRE MEMBER COVERAGE PLAN 2--

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1 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
2 public employer shall contribute seventeen and [~~one-half~~] nine-  
3 tenths percent of the salary of each member [~~whom~~] it employs  
4 and covers under municipal fire member coverage plan 2, except  
5 that, from July 1, 2013 through June 30, 2014, the affiliated  
6 public employer contribution rate shall be seventeen and one-  
7 half percent of the salary of each member."

8 SECTION 75. Section 10-11-99 NMSA 1978 (being Laws 1987,  
9 Chapter 253, Section 99) is amended to read:

10 "10-11-99. MUNICIPAL FIRE MEMBER COVERAGE PLAN 3--AGE AND  
11 SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under municipal  
12 fire member coverage plan 3:

13 A. for a member who was a retired member or a  
14 member on June 30, 2013, the age and service requirements for  
15 normal retirement are:

16 [~~A.~~] (1) age sixty-five years or older and  
17 five or more years of credited service;

18 [~~B.~~] (2) age sixty-four years and eight or  
19 more years of credited service;

20 [~~C.~~] (3) age sixty-three years and eleven or  
21 more years of credited service;

22 [~~D.~~] (4) age sixty-two years and fourteen or  
23 more years of credited service;

24 [~~E.~~] (5) age sixty-one years and seventeen or  
25 more years of credited service; or

1                   [F-] (6) any age and twenty or more years of  
2 credited service; and

3                   B. for a member who was not a retired member or a  
4 member on June 30, 2013, the age and service requirements for  
5 normal retirement are:

6                   (1) age sixty years or older and six or more  
7 years of service credit; or

8                   (2) any age and twenty-five or more years of  
9 service credit."

10                  SECTION 76. Section 10-11-100 NMSA 1978 (being Laws 1987,  
11 Chapter 253, Section 100) is amended to read:

12                  "10-11-100. MUNICIPAL FIRE MEMBER COVERAGE PLAN 3--AMOUNT  
13 OF PENSION--FORM OF PAYMENT A.--Under municipal fire member  
14 coverage plan 3:

15                   A. for a member with age and service requirements  
16 provided under Subsection A of Section 10-11-99 NMSA 1978, the  
17 amount of pension under form of payment A is equal to two and  
18 one-half percent of the final average salary multiplied by  
19 credited service. The amount shall not exceed [~~one hundred~~  
20 ninety percent of the final average salary; and

21                   B. for a member with age and service requirements  
22 provided under Subsection B of Section 10-11-99 NMSA 1978, the  
23 amount of pension under form of payment A is equal to two  
24 percent of the final average salary multiplied by credited  
25 service. The amount shall not exceed ninety percent of the

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1 final average salary."

2 SECTION 77. Section 10-11-102 NMSA 1978 (being Laws 1987,  
3 Chapter 253, Section 102, as amended) is amended to read:

4 "10-11-102. MUNICIPAL FIRE MEMBER COVERAGE PLAN 3--MEMBER  
5 CONTRIBUTION RATE.--~~[A member under municipal fire member~~  
6 ~~coverage plan 3 shall contribute eight percent of salary.]~~ A  
7 member under municipal fire member coverage plan 3 shall  
8 contribute eight percent of salary with the first full pay  
9 period in the calendar month in which municipal fire member  
10 coverage plan 3 becomes applicable to the member, except that a  
11 member whose annual salary is greater than twenty thousand  
12 dollars (\$20,000) shall contribute nine and one-half percent of  
13 salary."

14 SECTION 78. Section 10-11-103 NMSA 1978 (being Laws 1987,  
15 Chapter 253, Section 103, as amended) is amended to read:

16 "10-11-103. MUNICIPAL FIRE MEMBER COVERAGE PLAN 3--  
17 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
18 public employer shall contribute twenty-one and [~~twenty-five~~  
19 ~~one-hundredths~~] sixty-five hundredths percent of the salary of  
20 each member [~~whom~~] it employs and covers under municipal fire  
21 member coverage plan 3, except that, from July 1, 2013 through  
22 June 30, 2014, the affiliated public employer contribution rate  
23 shall be twenty-one and twenty-five hundredths percent of the  
24 salary of each member."

25 SECTION 79. Section 10-11-105 NMSA 1978 (being Laws 1987,

1 Chapter 253, Section 105) is amended to read:

2 "10-11-105. MUNICIPAL FIRE MEMBER COVERAGE PLAN 4--AGE  
3 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
4 municipal fire member coverage plan 4:

5 A. for a member who was a retired member or a  
6 member on June 30, 2013, the age and service requirements for  
7 normal retirement are:

8 [~~A.~~] (1) age sixty-five years or older and  
9 five or more years of credited service;

10 [~~B.~~] (2) age sixty-four years and eight or  
11 more years of credited service;

12 [~~C.~~] (3) age sixty-three years and eleven or  
13 more years of credited service;

14 [~~D.~~] (4) age sixty-two years and fourteen or  
15 more years of credited service;

16 [~~E.~~] (5) age sixty-one years and seventeen or  
17 more years of credited service; or

18 [~~F.~~] (6) any age and twenty or more years of  
19 credited service; and

20 B. for a member who was not a retired member or a  
21 member on June 30, 2013, the age and service requirements for  
22 normal retirement are:

23 (1) age sixty years or older and six or more  
24 years of service credit; or

25 (2) any age and twenty-five or more years of

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1 service credit."

2 SECTION 80. Section 10-11-106 NMSA 1978 (being Laws 1987,  
3 Chapter 253, Section 106) is amended to read:

4 "10-11-106. MUNICIPAL FIRE MEMBER COVERAGE PLAN 4--AMOUNT  
5 OF PENSION--FORM OF PAYMENT A.--Under municipal fire member  
6 coverage plan 4:

7 A. for a member with age and service requirements  
8 provided under Subsection A of Section 10-11-105 NMSA 1978, the  
9 amount of pension under form of payment A is equal to three  
10 percent of the final average salary multiplied by credited  
11 service. The amount shall not exceed [~~eighty~~] ninety percent  
12 of the final average salary; and

13 B. for a member with age and service requirements  
14 provided under Subsection B of Section 10-11-105 NMSA 1978, the  
15 amount of pension under form of payment A is equal to two and  
16 one-half percent of the final average salary multiplied by  
17 credited service. The amount shall not exceed ninety percent  
18 of the final average salary."

19 SECTION 81. Section 10-11-108 NMSA 1978 (being Laws 1987,  
20 Chapter 253, Section 108, as amended) is amended to read:

21 "10-11-108. MUNICIPAL FIRE MEMBER COVERAGE PLAN 4--MEMBER  
22 CONTRIBUTION RATE.--~~[A member under municipal fire member~~  
23 ~~coverage plan 4 shall contribute twelve and eight-tenths~~  
24 ~~percent of salary.]~~ A member under municipal fire member  
25 coverage plan 4 shall contribute twelve and eight-tenths

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1 percent of salary with the first full pay period in the  
 2 calendar month in which municipal fire member coverage plan 4  
 3 becomes applicable to the member, except that a member whose  
 4 annual salary is greater than twenty thousand dollars (\$20,000)  
 5 shall contribute fourteen and three-tenths percent of salary."

6 SECTION 82. Section 10-11-109 NMSA 1978 (being Laws 1987,  
 7 Chapter 253, Section 109, as amended) is amended to read:

8 "10-11-109. MUNICIPAL FIRE MEMBER COVERAGE PLAN 4--  
 9 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
 10 public employer shall contribute twenty-one and [~~twenty-five~~  
 11 ~~one-hundredths~~] sixty-five hundredths percent of the salary of  
 12 each member [~~whom~~] it employs and covers under municipal fire  
 13 member coverage plan 4, except that, from July 1, 2013 through  
 14 June 30, 2014, the affiliated public employer contribution rate  
 15 shall be twenty-one and twenty-five hundredths percent of the  
 16 salary of each member."

17 SECTION 83. Section 10-11-111 NMSA 1978 (being Laws 1987,  
 18 Chapter 253, Section 111) is amended to read:

19 "10-11-111. MUNICIPAL FIRE MEMBER COVERAGE PLAN 5--AGE  
 20 AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT.--Under  
 21 municipal fire member coverage plan 5:

22 A. for a member who was a retired member or a  
 23 member on June 30, 2013, the age and service requirements for  
 24 normal retirement are:

25 [A.] (1) age sixty-five years or older and

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1 five or more years of credited service;

2 ~~[B.]~~ (2) age sixty-four years and eight or  
3 more years of credited service;

4 ~~[C.]~~ (3) age sixty-three years and eleven or  
5 more years of credited service;

6 ~~[D.]~~ (4) age sixty-two years and fourteen or  
7 more years of credited service;

8 ~~[E.]~~ (5) age sixty-one years and seventeen or  
9 more years of credited service; or

10 ~~[F.]~~ (6) any age and twenty or more years of  
11 credited service; and

12 B. for a member who was not a retired member or a  
13 member on June 30, 2013, the age and service requirements for  
14 normal retirement are:

15 (1) age sixty years or older and six or more  
16 years of service credit; or

17 (2) any age and twenty-five or more years of  
18 service credit."

19 **SECTION 84.** Section 10-11-112 NMSA 1978 (being Laws 1987,  
20 Chapter 253, Section 112) is amended to read:

21 "10-11-112. MUNICIPAL FIRE MEMBER COVERAGE PLAN 5--AMOUNT  
22 OF PENSION--FORM OF PAYMENT A.--Under municipal fire member  
23 coverage plan 5:

24 A. for a member with age and service requirements  
25 provided under Subsection A of Section 10-11-111 NMSA 1978,

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1 the amount of pension under form of payment A is equal to three  
 2 and one-half percent of the final average salary multiplied by  
 3 credited service. The amount shall not exceed [~~eighty~~] ninety  
 4 percent of the final average salary; and

5 B. for a member with age and service requirements  
 6 provided under Subsection B of Section 10-11-111 NMSA 1978, the  
 7 amount of pension under form of payment A is equal to three  
 8 percent of the final average salary multiplied by credited  
 9 service. The amount shall not exceed ninety percent of the  
 10 final average salary."

11 SECTION 85. Section 10-11-114 NMSA 1978 (being Laws 1987,  
 12 Chapter 253, Section 114, as amended) is amended to read:

13 "10-11-114. MUNICIPAL FIRE MEMBER COVERAGE PLAN 5--MEMBER  
 14 CONTRIBUTION RATE.--~~[A member under municipal fire member~~  
 15 ~~coverage plan 5 shall contribute sixteen and two-tenths percent~~  
 16 ~~of salary.]~~ A member under municipal fire member coverage plan  
 17 5 shall contribute sixteen and two-tenths percent of salary  
 18 with the first full pay period in the calendar month in which  
 19 municipal fire member coverage plan 5 becomes applicable to the  
 20 member, except that a member whose annual salary is greater  
 21 than twenty thousand dollars (\$20,000) shall contribute  
 22 seventeen and seven-tenths percent of salary."

23 SECTION 86. Section 10-11-115 NMSA 1978 (being Laws 1987,  
 24 Chapter 253, Section 115, as amended) is amended to read:

25 "10-11-115. MUNICIPAL FIRE MEMBER COVERAGE PLAN 5--

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1 AFFILIATED PUBLIC EMPLOYER CONTRIBUTION RATE.--The affiliated  
2 public employer shall contribute twenty-one and [~~twenty-five~~  
3 ~~one-hundredths~~] sixty-five hundredths percent of the salary of  
4 each member [~~whom~~] it employs and covers under municipal fire  
5 member coverage plan 5, except that, from July 1, 2013 through  
6 June 30, 2014, the affiliated public employer contribution rate  
7 shall be twenty-one and twenty-five hundredths percent of the  
8 salary of each member."

9 SECTION 87. Section 10-11-115.2 NMSA 1978 (being Laws  
10 2003, Chapter 268, Section 3) is amended to read:

11 "10-11-115.2. MUNICIPAL DETENTION OFFICER MEMBER COVERAGE  
12 PLAN 1--AGE AND SERVICE REQUIREMENTS FOR NORMAL RETIREMENT--  
13 CALCULATION OF CREDITED SERVICE.--

14 A. Under municipal detention officer member  
15 coverage plan 1, for a member who was a retired member or a  
16 member on June 30, 2013, the age and service requirements for  
17 normal retirement are:

18 (1) age sixty-five years or older and five or  
19 more years of credited service;

20 (2) age sixty-four years and eight or more  
21 years of credited service;

22 (3) age sixty-three years and eleven or more  
23 years of credited service;

24 (4) age sixty-two years and fourteen or more  
25 years of credited service;

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1 (5) age sixty-one years and seventeen or more  
2 years of credited service;

3 (6) age sixty years and twenty or more years  
4 of credited service; or

5 (7) any age and twenty-five or more years of  
6 credited service.

7 B. For a member who was not a retired member or a  
8 member on June 30, 2013, the age and service requirements for  
9 normal retirement are:

10 (1) age sixty years or older and six or more  
11 years of service credit; or

12 (2) any age and twenty-five or more years of  
13 service credit.

14 [~~B. In calculating credited service~~]

15 C. For the purposes of determining retirement  
16 eligibility and the amount of pension, the credited service of  
17 a municipal detention officer member who was a retired member  
18 or a member on June 30, 2013 shall [have actual credited  
19 service] be increased by twenty percent for the purposes of  
20 municipal detention officer member coverage plan 1.

21 D. Except as provided in Subsection C of this  
22 section, the credited service of a municipal detention officer  
23 member shall be credited as provided under Section 10-11-4 NMSA  
24 1978."

25 SECTION 88. Section 10-11-115.3 NMSA 1978 (being Laws

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1 2003, Chapter 268, Section 4) is amended to read:

2 "10-11-115.3. MUNICIPAL DETENTION OFFICER MEMBER COVERAGE  
3 PLAN 1--AMOUNT OF PENSION--FORM OF PAYMENT A.--Under municipal  
4 detention officer member coverage plan 1, the amount of pension  
5 under form of payment A is equal to three percent of the final  
6 average salary multiplied by credited service. The amount  
7 shall not exceed ~~[eighty]~~ ninety percent of the final average  
8 salary."

9 SECTION 89. Section 10-11-115.5 NMSA 1978 (being Laws  
10 2003, Chapter 268, Section 6) is amended to read:

11 "10-11-115.5. MUNICIPAL DETENTION OFFICER MEMBER COVERAGE  
12 PLAN 1--MEMBER CONTRIBUTION RATE.--~~[A member under municipal  
13 detention officer member coverage plan 1 shall contribute  
14 sixteen and sixty-five hundredths percent of salary starting  
15 with the first full pay period that ends within the calendar  
16 month in which municipal detention officer member coverage plan  
17 1 becomes applicable to the member.]~~ A member under municipal  
18 detention officer member coverage plan 1 shall contribute  
19 sixteen and sixty-five hundredths percent of salary with the  
20 first full pay period in the calendar month in which municipal  
21 detention officer member coverage plan 1 becomes applicable to  
22 the member, except that a member whose annual salary is greater  
23 than twenty thousand dollars (\$20,000) shall contribute  
24 eighteen and fifteen-hundredths percent of salary."

25 SECTION 90. Section 10-11-115.6 NMSA 1978 (being Laws

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1 2003, Chapter 268, Section 7) is amended to read:

2 "10-11-115.6. MUNICIPAL DETENTION OFFICER MEMBER COVERAGE  
3 PLAN 1--EMPLOYER CONTRIBUTION RATE.--The affiliated public  
4 employer shall contribute [~~sixteen and sixty-five hundredths~~]  
5 seventeen and five-hundredths percent of the salary of each  
6 member under municipal detention officer member coverage plan 1  
7 starting with the first pay period that ends within the  
8 calendar month in which municipal detention officer member  
9 coverage plan 1 becomes applicable to the member, except that,  
10 from July 1, 2013 through June 30, 2014, the affiliated public  
11 employer contribution rate shall be sixteen and sixty-five  
12 hundredths percent of the salary of each member."

13 SECTION 91. Section 10-11-118 NMSA 1978 (being Laws 1987,  
14 Chapter 253, Section 118, as amended) is amended to read:

15 "10-11-118. COST-OF-LIVING ADJUSTMENTS--QUALIFIED PENSION  
16 RECIPIENT.--

17 A. For the purposes of this section:

18 (1) "preceding calendar year" means the  
19 twelve-month period ending on the December 31 preceding the  
20 July 1 in which pensions are being adjusted; and

21 (2) "second preceding calendar year" means the  
22 full calendar year prior to the preceding calendar year.

23 B. [~~The amount of pension payable to a qualified~~  
24 ~~pension recipient shall be increased three percent each July 1.~~  
25 ~~The amount of the increase shall be determined by multiplying~~

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1 ~~the amount of pension inclusive of all prior adjustments by~~  
2 ~~three percent.] A qualified pension recipient is eligible for a~~  
3 ~~cost-of-living pension adjustment. The amount of pension~~  
4 ~~payable to a qualified pension recipient who:~~

5 (1) retires pursuant to normal retirement  
6 after working for at least twenty-five years under one or more  
7 applicable coverage plans and whose annual pension benefit,  
8 after all previous annual cost-of-living adjustments, is equal  
9 to an amount not greater than twenty thousand dollars  
10 (\$20,000), shall be increased by two and one-half percent each  
11 July 1. The amount of the increase shall be determined by  
12 multiplying the amount of pension, inclusive of all prior  
13 adjustments, by two and one-half percent;

14 (2) is a disability retired member whose  
15 annual pension benefit, after all previous annual  
16 cost-of-living adjustments, is equal to an amount not greater  
17 than twenty thousand dollars (\$20,000), shall be increased by  
18 two and one-half percent each July 1. The amount of the  
19 increase shall be determined by multiplying the amount of  
20 pension, inclusive of all prior adjustments, by two and  
21 one-half percent; and

22 (3) does not meet the requirements provided in  
23 Paragraph (1) or (2) of this subsection shall be increased by  
24 two percent each July 1. The amount of the increase shall be  
25 determined by multiplying the amount of pension, inclusive of

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1 all prior adjustments, by two percent.

2 C. A qualified pension recipient is:

3 (1) a normal retired member who:

4 (a) retires on or before June 30, 2014  
5 and has been retired for at least two full calendar years from  
6 the effective date of the latest retirement prior to July 1 of  
7 the year in which the pension is being adjusted;

8 (b) retires between July 1, 2014 and  
9 June 30, 2015 and has been retired for at least three full  
10 calendar years from the effective date of the latest retirement  
11 prior to July 1 of the year in which the pension is being  
12 adjusted;

13 (c) retires between July 1, 2015 and  
14 June 30, 2016 and has been retired for at least four full  
15 calendar years from the effective date of the latest retirement  
16 prior to July 1 of the year in which the pension is being  
17 adjusted; or

18 (d) retires after July 1, 2016 and has  
19 been retired for at least seven full calendar years from the  
20 effective date of the latest retirement prior to July 1 of the  
21 year in which the pension is being adjusted;

22 (2) a normal retired member who has attained  
23 age sixty-five years and has been retired for at least one full  
24 calendar year from the effective date of the latest retirement  
25 prior to July 1 of the year in which the pension is being

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1 adjusted;

2 (3) a disability retired member who has been  
3 retired for at least one full calendar year from the effective  
4 date of the latest retirement prior to July 1 of the year in  
5 which the pension is being adjusted;

6 (4) a survivor beneficiary who has received a  
7 survivor pension for at least two full calendar years; or

8 (5) a survivor beneficiary of a deceased  
9 retired member who otherwise would have been retired at least  
10 two full calendar years from the effective date of the latest  
11 retirement prior to July 1 of the year in which the pension is  
12 being adjusted.

13 D. A qualified pension recipient may decline an  
14 increase in a pension by giving the association written notice  
15 of the decision to decline the increase at least thirty days  
16 prior to the date the increase would take effect."

17 **SECTION 92. REPEAL.**--Section 10-11-36 NMSA 1978 (being  
18 Laws 1987, Chapter 253, Section 36) is repealed.

19 **SECTION 93. SEVERABILITY.**--If any part or application of  
20 this act is held invalid, the remainder or its application to  
21 other situations or persons shall not be affected.

22 **SECTION 94. EFFECTIVE DATE.**--The effective date of the  
23 provisions of this act is July 1, 2013.